1350

REPORT

OF THE

COURT OF SUDDER DEWANNY ADAWLUT

ON THE

Administration of Civil Justice

IN THE

TERRITORIES SUBJECT TO THE GOVERNMENT OF

BENGAL,

FOR THE YEAR

1839.

CALCUTTA:

G. H. HUTTMANN, BENGAL MILITARY ORPHAN PRESS.

1840.

ERRATUM.

In Statement No. II., for Mr. Stainforth, *read* Mr. Staniforth.

To F. J. Halliday, Esq.,

Secretary to the Government of Bengal,
in the Judicial Department.

Sir,

I am directed by the Court to request that you will lay before the Right Hon'ble the Governor of Bengal, the several Statements of Regular and Summary Suits, instituted and disposed of during the year 1839, and pending on the 1st January 1840, in the several Civil Courts of the Lower Provinces, agreeably to the annexed list, marked No. I. to XIII. *Sudder Dewanny Adawlut.*

2. The Court have further directed me to request that you will submit the following remarks regarding the general operations of the past year.

Sudder Dewanny Adawlut.

REGULAR FILE.

3. The regular file of the Court of Sudder Dewanny Adawlut on the 1st January 1839 and 1st January 1840, was as follows:

On the 1st January 1839, ...	607
On the 1st January 1840, ...	736
being an increase of.....	129 suits.

4. The number of regular and special appeals filed during the years 1838 and 1839, respectively, was as follows:

Filed in 1838, ...	293
Filed in 1839, ...	306
being an increase of.....	13 appeals.

5. The statement in the margin* shows the years in which the appeals still pending, were instituted; including the whole of the cases received from the late Provincial Courts of Appeal.

* Before 1836, ... 22
Of 1836, ... 53
1837, ... 180
1838, ... 216
1839, ... 265
736

MISCELLANEOUS FILE.

6. The miscellaneous file of the Court of Sudder Dewanny Adawlut on the 1st January 1839 and 1st January 1840, was as follows:

Pending on the 1st January 1839,.....	518
Ditto on the 1st January 1840, ...	653
being an increase of.....	135 cases.

7. The number of miscellaneous and summary appeals filed during the years 1838 and 1839, respectively, was as follows:

Filed in 1838,	2034
Ditto in 1839,	1909
being a decrease of	125 cases.

8. The following statement exhibits the number of decrees of the Sudder Dewanny Adawlut, still remaining unexecuted:

Pending at the end of 1838,	449
Admitted in 1839,	79
	528
Executed in 1839,	166
Still pending	362

9. The following statement exhibits the number of decrees of the late Provincial Courts of Appeal, still remaining unexecuted:

Pending at the end of 1838,	352
Executed in 1839,	40
Pending	312

10. The Court of Sudder Dewanny Adawlut was closed for 122 days during the past year. The business of the Court was transacted, during the year 1839, by the following Judges:

Mr. Rattray, throughout the year.

Mr. Braddon, ditto.

Mr. Money, absent on leave from the 15th February to the 1st March, when he resumed charge, and about the end of March retired from the service and embarked for Europe.

Mr. Tucker, from the 18th February to the end of the year.

Mr. E. Lee Warner, from the 30th August to the end of the year.

Mr. Dick, from the 8th June to the end of the year.

Mr. Reid, throughout the year. He was absent on leave during the Dusserah holidays.

11. The following regular and special appeals, and miscellaneous petitions and proceedings, were either finally disposed of, or opinions thereon were recorded by the following Judges during the past year:

Names of the Judges.	*Regular Appeals.*	*Special Appeals.*	*Opinions Recorded.*	*Miscellaneous Petitions.*	*Miscellaneous Proceedings.*
Mr. Rattray,.....	18	10	5	178	80
Mr. Braddon, ...	10	10	9	193	108
Mr. Money, ...	9	2	0	27	16
Mr. Tucker,.....	21	9	20	118	15
Mr. E. Lee Warner,	8	6	33	37	22
Mr. Dick,.....	34	7	8	30	19
Mr. Reid,.....	30	3	0	1711	4860
Total.....	130	47	75	2294	5120

Zillah Backergunge.

12. The regular file of the district of Backergunge on the 1st January 1839 and 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	198	63
Ditto P. S. Ameen, ...	0	146
Ditto S. Ameen, ...	34	0
Ditto Moonsiffs,.....	309	568
	541	777

shewing an increase of 236 suits.

13. The number of original suits and appeals filed during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before the Judge, ...	420	356
Ditto Moonsiffs, ...	1318	1237
	1738	1593

being a decrease of 145 cases.

14. In regard to the state of the file at the end of 1839, as compared with that at the corresponding period of the preceding year, the Judge remarks as follows:—" In explanation of there being a greater number of suits pending at the end of 1839, than there were at the end of 1838, whilst at the same time a smaller number of suits have been preferred during the past year, I beg to observe that the office of the Moonsiff of Burrisaul was closed from the 4th of October until the 10th of November for the Dusserah, and from the latter date until the 10th of December, (the day on which Mr. G. J. Jordon commenced his duties as acting Moonsiff,) and also that the Moonsiffship of Mendigunge was vacant from the 16th of May until the 13th of August, the date on which Mr. Jackson assumed charge of the duties of that office. This latter officer was precluded by severe illness from deciding any cases in the month of December, and on the 23d of the month obtained leave of absence on medical certificate. This, together with the circumstance of there having been a larger number of suits instituted before the Moonsiff of Cowcolly, as shewn in the margin,* being an increase of 42 suits, by which means a large number were pending,† and his also having been absent on leave for 20 days in excess of the Dusserah vacation, will, I trust, account for the increase in the number of suits pending at the close of the year." The reasons detailed by the Judge are considered satisfactory.

* Instituted.

In 1838.	1839.
279	321

† Pending.

End of 1838.	1839.
102	137
Increase,.....	35

15. The statement in the margin* shews the years in which the original suits and appeals pending on the 31st December last, were instituted. The suits of 1833, 1835 and 1836, are cases which have been remanded for further investigation. The statement is considered satisfactory by the Court.

*

1833, ...	2
1835, ...	1
1836, ...	2
1837, ...	8
1838, ...	57
1839, ...	707
	777

Not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge,.....	0	1	1	2
„ P. S. Ameen,.....	10	59	0	69
Total...	10	60	1	71

16. The marginal memorandum shows the number of suits retained on the files of the higher courts, which, with reference to their amount, were triable by the courts of inferior jurisdiction. There being no Sudder Ameen in the district to whom the suits below 1000 rupees, on the file of the Principal Sudder Ameen, could be referred, the reasons given are sufficient. There are no suits on the Judge's file of more than 5000 rupees' value.

17. Mr. B. Golding was Judge of Backergunge during 1839, and was in charge of the office the whole of the year, with the exception of the interval from the 21st April to the 3d June, when he was on deputation at Chittagong; Mr. Jordon, the Sudder Ameen, conducting the current duties of the office during his absence. Mr. Golding sat 98 days in the Civil, and 81 days in the Sessions Court. He was absent from office in consequence of indisposition 16 days, and on deputation 40 days. The rest of the year consisted of Sundays and native holidays.

*

Decided on trial.....	125
Dismissed on default....	11
Adjusted or withdrawn,	7
	143

18. Mr. Golding disposed of 143 suits in the manner noted in the margin.* Ten appeals from the decisions of Mr. Golding were preferred to the Sudder Dewanny Adawlut during the year 1839. Of these, the decree of the Judge was confirmed in one case, and the appeal struck off in another; in a third, the suit was remanded for further investigation; and the remaining seven cases were pending on the file of the Sudder Court at the close of the year.

19. It having become necessary to appoint a Principal Sudder Ameen to the district of Backergunge, Chunder Seekur Chowdhree, Sudder Ameen of the 24-Pergunnahs, was nominated to that office, and assumed charge of it on the 27th April. He disposed of 207 suits in the manner noted in the margin*. Twenty-seven appeals from his decisions were preferred to the Judge, five of which were disposed of in the manner similarly shewn†. One appeal was preferred to the Sudder Court, and was pending at the close of the year. The Court have perused with much pleasure the following remarks relative to the official character and proceedings of the Principal Sudder Ameen. "Chunder Seekur Chowdhree, the Principal Sudder Ameen, appears to me to be an able officer, attentive to his duties, and seems to give satisfaction. I shall be able to speak more decidedly of the quality of his decisions, when more of the appeals therefrom have been heard than were during the year. He bears an excellent character, and is well spoken of by all classes."

* Decided on trial,..... 184
Dismissed on default,... 8
Adjusted or withdrawn, 15
207

† Confirmed,..... 2
Reversed or modified,... 1
Adjusted,..... 2
Pending, ... 22
27

20. Mr. J. J. Jordon was Sudder Ameen of this district from the 1st January to the 26th April, when the office was abolished, and Mr. Jordon was transferred to an appointment of the same grade in the 24-Pergunnahs. During the period of the year that he was Sudder Ameen of Backergunge, he disposed of 35 suits in the manner noted in the margin.* A statement of the appeals from Mr. Jordon's decisions is also given in the margin.† Mr. Golding observes that he was very sorry to lose the services of Mr. Jordon; but the Court will have a further opportunity of recording their opinion of his official character, when considering the annual statements from the district of 24-Pergunnahs.

* Decided on trial,..... 30
Dismissed on default, 1
Adjusted or withdrawn, ... 4
35

† Pending of 1838 22
Admitted in 1839, ... 13
35

Confirmed,..... 13
Reversed or modified,..... 9
Dismissed on default. 2
Adjusted or withdrawn,..... 2
Pending,..... 9
35

21. The Moonsiffs of Backergunge disposed of 1026 cases in the manner shewn in the margin.* The number of appeals from their decisions pending at the close of 1838, the number admitted in 1839, and the manner of their disposal, are similarly noted.† The general results are satisfactory; but on examining the statements in detail, it appears that Mr. Jordon, Moonsiff of Burrisaul, and Govind Chunder Bidyarutten, Moonsiff of Cowcolly, are the officers to whom the credit of the majority of good decisions is due.

* Decided on trial, ... 713
Dismissed on default, ... 186
Adjusted or withdrawn, ... 127
1026

† Pending of 1838, ... 82
Admitted in 1839,... 136
Total,... 218

Confirmed..... 101
Reversed or modified, ... 58
Dismissed on default, ... 6
Adjusted or withdrawn..... 2
Pending,..... 51
218

22. The Judge bears the following satisfactory testimony to the character of three out of the four Moonsiffs of his division:

"Lalla Sunker Lall, the Moonsiff of Burrisaul, and Govind Chunder Bidyarutten, Moonsiff of Cowcolly, both continue to deserve the testimony borne to their character and conduct by my predecessors; and I think the number of appeals pre-

ferred from their decisions and the results thereof speak favorably for the quality of them. They are both attentive to their duties and stand high in the estimation of their countrymen.

"Mr. James Jackson, the Moonsiff of Mendigunge, has been too short a time in office to enable me to judge well of his qualifications. Of his character, from having been acquainted with him for many years, I can speak well. The only case that was tried on appeal from his decision in the year, was confirmed; the investigation made by him appeared to have had great care and attention paid to it, and the decision was very good.

"Lalla Sunker Lall, already Moonsiff of the 1st grade, and Govind Chunder Bidyarutten, appear to be the two most capable and trustworthy Moonsiffs in this jurisdiction; and I consider Govind Chunder Bidyarutten worthy of promotion to the same grade as that held by Lalla Sunker Lall."

23. The Court regret to observe, that the Judge does not speak so favorably of Mr. Benbow, the Moonsiff of Bowful, whom he describes as conducting himself well during the first few months of a new Judge being appointed to the district, and then becoming careless and inattentive. He adds that there is a charge pending against this Moonsiff of having changed the answer of a defendant in a suit decided by him, after passing the decision, and of compelling the defendant's vakeel to sign it. The Judge will be requested to expedite the transmission of his report on the result of the investigation of this charge. There is a further complaint against Mr. Benbow of having borrowed money from parties residing in his division, contrary to the express orders of Government of the 14th July 1834. Mr. Benbow has admitted that he has done so, but alleges that he was altogether ignorant of the existence of such an order. The Court will await the result of the investigation into the charge of falsifying the paper above alluded to, ere they pass any final orders in regard to Mr. Benbow. They observe, however, that he has been removed from the division of Bowful to that of Mendigunge.

24. One suit was under reference to the Collector under the provisions of Section 30, Regulation II. 1819, at the close of 1839. No suits were tried with the assistance of assessors under Regulation VI. of 1832. Thirty (30) suits were instituted to set aside summary awards for arrears of rent.

25. The total value or amount of the original suits and appeals pending in Zillah Backergunge on the 31st December 1839, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	1976	37353	39329
Before P. S. Ameen,.....	308692	1864	310556
Before Moonsiffs, ...	52068	0	52068
Total,.....	362736	39217	401953

MISCELLANEOUS FILE.

26. The miscellaneous file of the district of Backergunge on the 1st January 1839 and 1st January 1840, was as follows:

	1839.	1840.
Before Judge,.....	417	463
„ P. S. Ameens, ...	0	129
„ S. Ameens, ...	33	0
„ Moonsiffs, ...	306	571
	756	1163

shewing an increase of 407 cases, in regard to which the Judge gives the following explanation:

"The explanation given in paragraph 4* of this letter applies partly to the above excess, the Moonsiffs of Burrisaul and Mendigunge having pending before them 168 cases in excess of the number at the close of 1838, as shewn in the margin.† This, together with the number of execution of decrees of the Principal Sudder Ameen, newly instituted before that officer, will account for the increase."

* Above quoted.

	1838.	1839.
† Moonsiff of Burrisaul and of, ...	58	212
	13	27
Ditto of Mendigunge, ...	71	239
Excess,.....	168	

27. There are very few cases of any importance on the file of the Judge. The files of the Native Judges call for no remark, except in the case of the Moonsiff of Burrisaul, whose file is very heavy, and will require constant attention. Almost the whole of the cases above one year's standing are applications for the enforcement of decrees of court.

28. The marginal statement* shews the number of miscellaneous appeals to the Sudder Court from the orders of the Zillah Judge, and is very creditable to that officer.

* Pending of 1838,		8
Admitted in 1839,		29
		37
Confirmed, ...	20	
Reversed or modified, ...	3	
Dismissed on default,.....	2	
Pending, ...	12	37

29. The number of applications for the execution of decrees pending at the end of 1838, the number admitted in 1839, and the manner of their disposal, as well as the years in which the applications pending on the 31st December were instituted, are given in the marginal statements.* The cause of the increase has been stated above in the quotations from the Judge's letter, in explanation of the larger number of cases, both regular and special, pending at the close of 1839, as compared with the corresponding period of the preceding year.

* Pending of 1838,		447
Admitted in 1839,		1397
		1844
Disposed of in 1839,		1212
		632
Before	1835	12
In	1835	12
	1836	16
	1837	36
	1838	105
	1839	451
		632

GENERAL REMARKS.

30. The statements for the district of Backergunge were forwarded by Mr. Golding, with his letter of the 31st January last, which is a very creditable

report. They have been very carefully prepared, and satisfy the Court, notwithstanding the increase in the number of suits pending at the close of the year as already noticed, that the administration of civil justice in the district is prompt and effectual, and that the subordinate courts are efficiently superintended and controlled by Mr. Golding.

31. The observations of the Court in regard to the proceedings of the courts of the Native Judges have been recorded in the body of the resolutions, and it only remains for the Court to add that they are quite satisfied with the manner in which the Judge has discharged the duties of his own office.

Zillah Beerbhoom.

32. The regular file of the district of Beerbhoom on the 1st January 1839 and 1st January 1840, stood as follows:

	1839.	1840.
Before the Judge, ...	32	126
Ditto P. S. Ameen, ...	80	42
Ditto S. Ameen, ...	128	129
Ditto Moonsiffs, ...	2009	1956
	2249	2253

showing an increase of 4 suits. The increase on the Judge's file consisted of appeals from the Moonsiffs' decisions, which were subsequently transferred to the Principal Sudder Ameen for trial.

33. The number of original suits and appeals filed during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before the Judge, ...	431	548
Before Moonsiffs, ...	3638	3601
	4069	4149

being an increase of 80 cases.

* 1831, ...	2
1834, ...	1
1835, ...	5
1836, ...	5
1837, ...	*18
1838, ...	142
1839, ...	2080
	2253

34. The marginal statement* shows the years in which the suits pending at the close of the year, were instituted. There has been some improvement in this respect during the past year, though the reasons for delay given in some of the cases are not altogether satisfactory.

35. The marginal statement shews the number of cases which have been retained on the files of the higher courts, though cognizable with reference to their amount by the courts of inferior jurisdiction. In order to ascertain the grounds of their retention, the Court are referred to the return for December last. The reasons given are sufficient.

Original suit not exceeding	Rs. 300	Rs. 1000	Total.
Before P. S. Ameen,.....	6	0	6
Ditto S. Ameen,.....	77	0	77
Total,.....	83	0	83

36. Mr. J. H. D'Oyly was Judge of Beerbhoom during the year 1839. His time was occupied in the manner noted in the margin.* Mr. D'Oyly disposed of 169 suits as per margin.† The Court are glad to observe that the whole of the appeals from the decisions of the Sudder Ameen, and the majority of those from the decrees of the Moonsiffs, disposed of in this district, during the year 1839, were decided by the Judge. One appeal (special) from the decisions of Mr. D'Oyly, was preferred to the Sudder Court: the case was remanded for further investigation.

	Days.
* Civil Court, ...	148
Sessions and Criminal duties, ...	72
Sundays and Holidays,	119
Absent on leave,.....	26
	365
† Decided on trial, ...	165
Dismissed on default,...	2
Adjusted or withdrawn, ...	2
	169

37. The Principal Sudder Ameen, Moolvee Mahomed Faik, disposed of 187 suits in the manner indicated in the margin.* There were 4 appeals from the decisions of this officer pending at the close of 1838, and 20 were admitted during the year 1839, making a total of 24, which were dealt with as marginally noted.† Of the number under the second head, 6 cases were remanded for further investigation. The work done by Moolvee Mahomed Faik is creditable to him; and Mr. D'Oyly observes that he fully maintains his previous high character. No appeals from this officer's decisions were preferred direct to the Sudder Court.

* Decided on trial,.....	168
Dismissed on default,...	16
Adjusted or withdrawn, ...	3
	187
† Confirmed, ...	3
Reversed or modified,...	9
Dismissed on default,...	2
Pending, ...	10
	24

38. Syed Hossein Buksh held the office of Sudder Ameen of Beerbhoom and Moonsiff of Soory during the period under review, and disposed of 163 cases in the former, and 316 cases in the latter capacity, in the manner exhibited in the margin. The appeals from his decisions and their results are also given. The result, whether with reference to the quantity of work done by this officer, or the quality, as exhibited by the statement of appeals, is extremely creditable to him.

	Sudder Ameen.	Moonsiff.	Total.
Decided on trial, ...	96	187	283
Dismissed on default,	52	70	122
Adjustedorwithdrawn,	15	59	74
Total,.....	163	316	479
APPEALS.			
Pending of 1838, ...	5	4	9
Admitted in 1839, ...	18	26	44
Total, ...	23	30	53
Confirmed,.....	10	12	22
Modified or reversed,	3	6	9
Dismissed on default,	0	1	1
Pending, ...	10	11	21
Total,.....	23	30	53

39. The Moonsiffs of this district, including the Moonsiff of Soory, disposed of 3747 suits, in the manner shewn in the margin.* The number of appeals from their decisions, pending at the end of 1838, the number preferred in 1839, and the manner of their disposal, are similarly shewn.† The general result is satisfactory and creditable to the Moonsiffs, especially to Mahomed Saeem, Moonsiff of Labpoor, only 3 of whose decisions were reversed. The Judge gives a detailed account of

* Decided on trial, ...	2639
Dismissed on default,	468
Adjusted or withdrawn, ...	640
	3747
† Pending of 1838, ...	48
Admitted in 1839,.....	317
Total,...	365

Confirmed,.....	150	
Reversed or modified,.....	109	
Dismissed on default,.....	7	
Adjusted or withdrawn,...	1	
Pending,.....	107	365

the official proceedings and character of the several Moonsiffs of his district, and the Court are happy to observe that it is so favorable. Only in one instance, that of the Moonsiff of Khytah, has the Judge had occasion to notice any thing like incompetency; and the Court trust that his remarks, which have been communicated to the Moonsiff, will produce a manifest improvement in the character of that officer's proceedings, so as to enable the Judge to report more favorably of him on submitting the report for the current year. The Court observe that Kooer Jey Gopal Singh, Moonsiff of Kundrah, in this district, has been promoted to the Sudder Ameenship of West Burdwan.

40. There were 5 suits under reference to the Collector, at the close of the year 1838, under the provisions of Section 30, Regulation II. 1819. Twenty-eight (28) suits were instituted to contest summary awards for arrears of rent. No suits were tried under the provisions of Regulation VI. of 1832, with the assistance of a jury or assessors.

41. The total amount or value of original suits and appeals pending at the close of the year, is as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	0	19803	19803
Ditto P. S. Ameen,.....	194486	32	194518
Ditto S. Ameen,.....	35246	0	35246
Ditto Moonsiffs,.....	83699	0	83699
Total,.....	313431	19835	333266

42. Before disposing of the statement of regular suits and appeals, the Court will observe, for the Judge's information and future guidance, that the Memorandum B. of Statement No. 1, has not been correctly prepared. His attention will be called to the rules for preparing that statement issued with the Court's Circular of the 7th December 1838, No. 28, Volume III. from which he will observe that the totals of columns 4 and 6 are not required to be entered in the Memorandum, but the details of the difference between those totals.

MISCELLANEOUS CASES.

43. The miscellaneous file of the district of Beerbhoom on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	225	342
Ditto P. S. Ameen, ...	142	55
Ditto S. Ameen, ...	137	148
Ditto Moonsiffs,.....	1209	844
	1713	1389

shewing a reduction of 324 cases. The files are light, and the cases of long standing by no means numerous.

44. Of 21 applications for the admission of special appeals disposed of by the Judge, 9 were admitted and 12 rejected. The cases of importance pending on the file of the Judge at the close of the year, are noted in the margin.*

* Applications for review of judgment. 7
Applications for special appeal, ... 14
Applications for summary appeals, under Regulation XXVI. 1814,..... 15
Ditto ditto under Regulation VII. 1825,..... 32
68

45. The statements of miscellaneous appeals preferred direct to the Sudder Court from the decisions of the Judge and Principal Sudder Ameen, are given in the margin.* The result is very creditable to Mr. D'Oyly.

* JUDGE.
Pending of 1838,... 1
Admitted in 1839, ... 20
21
Confirmed, ... 11
Reversed or modified, ... 2
Pending, ... 8
21

P. S. AMEEN.
Admitted in 1839,..... 2
Modified or reversed, 2

46. The marginal statement* shews the number of applications for the execution of decrees, still pending in this district, and the years in which the applications were preferred. Of the number disposed of, 956 were completely executed or compromised between the parties, and in 201 instances no steps were taken by the decree-holders after making the first application for the enforcement of the decrees, from which it may be presumed that they were also adjusted for the most part between the parties.

* Pending of 1838, 1141
Admitted in 1839, 1471
2612
Disposed of in 1839, 1802
Pending,... 810
Before 1835 4
In 1835 2
1836 14
1837 38
1838 98
1839 654
810

GENERAL REMARKS.

47. With one or two slight exceptions already noticed, the statements for this district, which were forwarded with Mr. D'Oyly's letter of the 15th February last, have been carefully prepared. The Court have but little to add to what has already been recorded in the body of the resolution, regarding the state of the civil courts of Beerbhoom. The administration of civil justice is very efficient, and is carefully superintended by Mr. D'Oyly, who fully maintains his character as a zealous and able officer.

Zillah Behar.

48. The regular file of the district of Behar on the 1st January 1839 and the 1st January 1840, was as follows :

	1839.	1840.
Before the Judge, ...	220	186
Ditto P. S. Ameens, ...	151	282
Ditto S. Ameens,.....	59	63
Ditto 5 Moonsiffs, ...	977	665
	1407	1196

being a reduction of 211 suits.

49. The number of original suits and appeals filed during the years 1838 and 1839, respectively, was as follows :

	1838.	1839.
Before the Judge, ...	757	624
Ditto Moonsiffs, ...	1832	1753
	2589	2376

being a decrease of 213 cases.

50. The years in which the suits pending at the close of 1839 were instituted, are shown in the margin.* The reasons given for the delay which has occurred in regard to these cases, is by no means satisfactory in many instances. The Court have again to impress upon the Judge the necessity of unremitting attention to the file of old cases.

1824, ...	1
1826, ...	2
1830, ...	1
1833, ...	4
1834, ...	1
1835, ...	6
1836, ...	2
1837, ...	13
1838, ...	155
1839, ...	1011
Total,...	1196

Original suits not exceeding	Rs. 300	Rs. 1000	Total.
Before the P. S. Ameen,.....	1	4	5
Ditto S. Ameen,.....	11	0	11
Total,.....	12	4	16

51. The memorandum in the margin exhibits the number of cases retained by the superior courts, which, with reference to their value, might have been transferred to courts of inferior jurisdiction. The reasons for such retention are quite satisfactory.

52. Mr. J. C. Brown held the office of Judge of Behar from the 1st January to the 4th March, when he was relieved by Mr. J. Reid, who remained in charge of the current duties to the 30th April. On that date Mr. James joined the appointment as officiating Judge. Mr. Brown rejoined on the 6th June, and held the office till the 13th September. From that date to the end of the year, Mr. C. T. Davidson officiated as Judge of Behar. The time of the officers who held the office of Judge was employed in the manner noted in the margin.*

*	Days.
Civil Court,.....	115
Sessions Ditto, ...	90
Sundays and Holidays,	126
Number of working days the Assistant was in charge, ...	34
	365

53. The number of suits decided in the Judge's court is stated in the margin.* The officiating Judge has omitted to state, in the prescribed manner, the number of suits decided by each officer who held the appointment of Judge, but on reference to the monthly returns it appears that almost the whole of the civil suits were decided by Mr. Brown. Not a single case was decided by Mr. James during the month of May, and but little was done by Mr. Davidson during the period of the year that he held charge of the office; but it is to be observed, in regard to the last mentioned of these gentlemen, that the court was closed, for a great period of his employ, for the Dusserah vacation. The Court consider the disposal of only 37 suits on trial in the course of 115 days, during which sittings were held in the civil court,* to be very discreditable to the officers concerned, especially as the statement of miscellaneous cases does not show that business has been done in that department by any means sufficient to account

*	Decided on trial.....	37
	Dismissed on default,...	1
	Adjusted or withdrawn,	6
		44

*	Days.
Mr. Brown held office	161
Mr. Reid in charge,...	58
Mr. James, ...	36
Mr. Davidson,.....	120
	365

for the disposal of so very few regular cases. Nor do the Court consider that the marginal extract† from the officiating Judge's report of the 7th February last, affords a satisfactory explanation of the circumstances, though the repeated changes in the persons holding the judgeship, which have taken place during the year, cannot but be regretted.

†"The absence of a Judge for a period of nearly two months, and the changes which have taken place in the head of the office, and the small quantity of time which has been bestowed upon civil matters, will, I hope, be received by the Court as a sufficient reason for the unfavorable state of the Judge's file."

54. Four special appeals from the decisions of Mr. Brown were preferred to the Sudder Dewanny Adawlut during the year 1839. Of these, two were remanded for further investigation: the remaining two were undecided at the close of the year.

55. The 1st Principal Sudder Ameen, Moolvee Futteh Ally Khan, disposed of 316 suits as per margin.* The number of appeals from this officer's decisions, as well as the manner of their disposal, are similarly shown.† The quantity of business disposed of by the Principal Sudder Ameen is large. The Court are totally unable to judge of its quality, owing to the very small number of appeals from his orders taken up by the Judge; but the very few appeals preferred speak favorably for his decisions. Four regular appeals from the decisions of this officer were preferred direct to the Sudder Dewanny Adawlut: one of them was dismissed on default, and three were pending at the close of the year.

* Decided on trial,		280
Dismissed on default,	28	
Adjusted or withdrawn,	8	
		316
† Pending of 1838,		73
Transferred to Bhaugulpore,	3	
		70
Admitted in 1839,		21
		91
Confirmed,	9	
Modified or reversed,	8	
Adjusted,	1	
Pending,	73	
		91

56. The Additional Principal Sudder Ameen, Moolvee Neamut Allee Khan, disposed of 14 suits in the manner indicated in the margin.* The number of appeals from his decisions to the Zillah Judge is also shown.† This officer has been a good deal employed in the transaction of miscellaneous business. For the same reason as in the case of the 1st Principal Sudder Ameen, the Court are unable to offer any opinion in regard to the quality of the Principal Sudder Ameen's work. With reference to the remark in the last column of his statement No. 6, the officiating Judge will be requested to state what is meant by one case of appeal from the decisions of the Principal Sudder Ameen being referred to that officer. Eight (8) regular appeals from the decisions of Moolvee Neamut Allee Khan were preferred direct to the Sudder Dewanny Adawlut. They were pending at the close of the year.

* Decided on trial,		82
Dismissed on default,		10
Adjusted or withdrawn,		2
		94
† Pending of 1838,		89
Transferred to other jurisdictions,	9	
		80
Admitted in 1839,		31
		111
Confirmed,	2	
Modified or reversed,	8	
Adjusted,	5	
Pending,	96	
		111

57. Moolvee Ashruff Hossein held the offices of Sudder Ameen of the district and Moonsiff of Gya, and decided 119 cases in the former, and 466 cases in the latter capacity, as per margin.* The number of appeals from his decisions, and the manner of their disposal, are similarly noted.† The results are considered to be satisfactory and creditable to the Sudder Ameen.

	As Sudder Ameen.	As Moonsiff.	Total.
Decided on trial,	110	378	488
Dismissed on default,	2	15	17
Adjusted or withdrawn,	7	73	80
Total,	119	466	585
APPEALS.			
Pending of 1838,	33	1	34
Admitted in 1839,	43	63	106
Total,	76	64	140
Confirmed,	27	20	47
Modified or reversed,	14	15	29
Dismissed on default,	3	0	3
Adjusted,	*3	0	3
Pending,	29	29	58
Total,	76	64	140

58. The Moonsiffs of this district, including the Moonsiff of Gya, disposed of 2075 cases in the manner noted in the margin.* A statement of the number of appeals from their decisions, and the manner in which they have been disposed of, is also given.† The Court observe that with the exception of six, the whole of the appeals from the decisions of the Moonsiffs were tried by the Principal Sudder Ameens. The result is very creditable to one of the Moonsiffs, Syud Tuffuzzul Hossein, Moonsiff of Jehanabad, only five of whose decisions were reversed.

* Decided on trial. ... 1725
Dismissed on default, ... } 71
Adjusted or withdrawn, ... } 270
2075

† Pending of 1838, ... 92
Admitted in 1839, ... 359
451
Confirmed, ... 143
Reversed or modified. ..... } 102
Dismissed on default, ... } 28
Adjusted, ... 3
Pending, ... 175
451

59. One case was under reference to the Collector at the close of the year. No suits were tried with the aid of a jury or assessors under the provisions of Regulation VI. 1832. Twenty-four (24) suits were instituted during the year to set aside summary decisions for arrears of rent.

60. The total amount or value of the regular suits and appeals pending on the 1st January 1840, is estimated at 7,23,430 rupees, as follows:

	Original Suits.	Appeals.	Total.
Before the Judge, ...	0	110570	110570
Ditto P. S. Ameens, ...	507629	29162	536791
Ditto S. Ameen, ...	28323	0	23323
Ditto Moonsiffs, ...	47746	0	47746
Total, ...	583698	139732	723430

MISCELLANEOUS CASES.

61. The miscellaneous file of the district of Behar on the 1st January 1839 and the 1st January 1840, is noted in the margin,* shewing a reduction of 57 cases.

	Year 1839.	Year 1840.
* Before the Judge, ...	321	525
„ P S. Ameens, ...	945	798
„ S. Ameen, ...	166	105
„ Moonsiffs, ...	591	538
Total, ...	2023	1966

62. The most important of the miscellaneous cases on the Judge's file are entered in the margin.* The Court regret to observe that the Judge's file has greatly increased, as compared with the corresponding period of the preceding year; and that no less than 97 cases, under the four heads above mentioned, have been pending upwards of a year. Of the numerous applications for the admission of special appeals, only 34 were disposed of in the Judge's court during the year, of which 14 were admitted and 20 rejected.

* Reviews of judgment. 15
Applications for admission of special appeals, ... } 168
Summary appeals under Reg. XXVI. 1814, ... } 7
Ditto under Reg. VII. 1825, ... } 182
372

63. There has been some reduction on the files of the Principal Sudder Ameens; but the files are still heavy; and the cases of long standing are very numerous. The delay which takes place in the final disposal of applications for the execution of decrees, the Court can understand; but that 22 cases of claims to property advertized for sale in execution of decrees, should have been pending upwards of a year, appears to them quite unaccountable. The Judge of Behar will be requested to convey to the Principal Sudder Ameens of his district, the expression

of the Court's dissatisfaction at this state of things, and again urge upon them the necessity of paying greater attention to the old arrears of business in their courts.

64. The number of miscellaneous appeals to the Sudder Court from the decisions of the Judge, is noted in the margin,* together with the manner of their disposal. Two appeals from the decisions of the Principal Sudder Ameen, preferred direct to the Sudder, were pending at the close of 1838, and 6 were instituted during 1839, making a total of 8 cases. Only one of these was disposed of, leaving a balance of 7 at the close of the year.

* Pending of 1838,.....	35	
Admitted in 1839, ...	53	
		88
Confirmed,.....	56	
Modified or reversed,	19	
Dismissed on default,	3	
Pending, ...	30	
		88

65. The miscellaneous files of the Sudder Ameen and Moonsiffs do not call for any particular remark.

66. The marginal statement* exhibits the number of applications made for the execution of decrees, and the number disposed of, as also the years in which the applications still undecided were preferred. The Court observe that of the number disposed of, 1499 cases were completely executed.

* Pending of 1838,...	1236	
Admitted in 1839, ...	2231	
		3467
Executed in 1839,.....	2314	
		1153
Before 1835,.....	67	
In 1835,.....	22	
„ 1836,.....	77	
„ 1837,.....	85	
„ 1838,.....	234	
„ 1839,.....	668	
		1153

GENERAL REMARKS.

67. The statements for the district of Behar were forwarded by the officiating Judge, Mr. C. T. Davidson, with his letter of the 7th February. With one exception, already noticed by the Court in their observations on the proceedings of the Judge's court, they have been carefully prepared.

68. The Court had occasion to notice, in submiting their report for the year 1838 in regard to this district, that though some progress was observable, much was still wanting to enable the Court to pronounce a favorable opinion of the positive efficiency of the civil courts. They regret that the returns now before them afford no ground for concluding that any improvement has taken place, especially in the courts of higher jurisdiction. Allowance however must be made for the frequent changes, as above stated.

69. The officiating Judge, in transmitting the statements, observes that he is unable to record any decided opinion of the qualifications of the Native Judges, from the circumstance of his not having had sufficient opportunity of forming one. He adds, however, that nothing has transpired to impress him with other than a favorable opinion of them. The Court regret the officiating Judge's inability to offer any opinion on a matter of such great importance as the official character and qualifications of the Native Judges subordinate to his control. They do not intend to impute any blame to Mr. Davidson on this point; but they consider that it was the duty of his predecessor to have recorded his opinion of the subordinate judicial officers in the manner prescribed by the circular order No. 181, of the 12th August 1836, before making over charge of his office.

70. But though it was the duty of Mr. Brown to have conformed to the orders above cited, the Court cannot but remark that his opinion must have been grounded upon very unsatisfactory information with respect to the proceedings of the year under review. Of the 37 regular suits decided in the Judge's court, 27 were appeals from the decisions of the Principal Sudder Ameens, 4 from those of the Sudder Ameens, and 6 from those of the Moonsiffs. Again, very few applications for the admission of special appeals were taken up by the Judge ; and hence it is manifest that in regard to the regular files of the subordinate civil courts, the supervision exercised by the Judge must have been extremely limited, and altogether insufficient to enable him to form any decided opinion of the character of the proceedings of the Native Judges. A lax control of this nature, while it is eminently calculated to impair the efficiency of the Native courts, is unfair towards the upright and zealous officer, who looks for the approbation of his superior, but looks in vain if his exertions are altogether unnoticed.

71. Again, with reference to the miscellaneous department, the Court trusted that by making arrangements for entrusting one of the Principal Sudder Ameens with that part of the duty, a considerable reduction would have been effected. There has been a reduction in the number of miscellaneous cases in the courts of the Principal Sudder Ameens, but a corresponding increase in that of the Judge. The increase in the number of cases disposed of by the Principal Sudder Ameen was followed by the natural result of an increase in the number of appeals to the Zillah Judge, whose attention should have been particularly directed to this branch of the business of his court ; as it is, the measures of the Court to effect the desired reduction have been entirely frustrated.

72. The Court observe that an additional Judge has been appointed to the district of Behar ; and they trust that the present unsatisfactory state of things will not be of long continuance.

Zillah Bhagulpore.

73. The regular file of the district of Bhagulpore on the 1st January 1839 and the 1st January 1840, was as follows :

	1839.	1840.
Before Judge, ...	23	81
Ditto P. S. Ameen, ...	119	54
Ditto S. Ameen, ...	35	59
Moonsiffs, ...	698	974
	875	1168

shewing an increase of 293 suits, chiefly on the files of the Moonsiffs.

74. The number of original suits and appeals instituted in the years 1838 and 1839 respectively, was as follows :

	1838.	1839.
Before Judge, ...	406	494
Ditto Moonsiffs, ...	1596	2117
	2,002	2611

shewing an increase of 609 cases, which, the Court presume, is to be attributed to the transfer of certain portions of the districts of Behar and Tirhoot to the jurisdiction of Bhaugulpore.

75. The statement in the margin* shews the years in which the suits pending on the 1st January 1840, were instituted. The statement is satisfactory; the old suits being cases remanded by the appellate authorities for further investigation.

* 1824, ... 1
1827, ... 1
1834, ... 1
1836, ... 3
1837, ... 1
1838, ... 17
1839, ... 1144
1168

76. The marginal statement shews the number of suits retained on the files of the higher courts, which, with reference to their amount, might have been transferred to the courts of inferior jurisdiction. The reasons given for their retention are sufficient. There were no original suits on the file of the Judge.

Not exceeding	Rs. 300	Rs. 1000	Total.
Before P. S. Ameen,.....	2	1	3
" S. Ameen, ...	32	0	32
Total.....	34	1	35

77. The office of Judge of Bhagulpore was held by Mr. T. Wyatt from the 1st to the 9th January, by Mr. Lee Warner from the 10th January to the 26th April, and by Mr. Williams from the 27th April to the close of the year. The time of the Judges was disposed of in the manner noted in the margin.*

	Days.
* Civil Court,.....	115
Sessions Court, ...	151
Sundays and Holidays,	99
Total,.....	365

78. The officers who held the appointment of Judge disposed of 122 suits in the manner noted in the margin. There were 3 regular and 10 special appeals from the decisions of Mr. Wyatt preferred to the Sudder Court during the year, the majority of them of course from decisions passed in the year 1838. One of the former was adjusted, and one of the latter remanded for further enquiry. The other cases were undecided at the close of the year.

	Decided on trial.	Dismissed on default.	Adjusted or withdrawn.	Total.
Mr. Wyatt.....	3	0	0	3
Mr. Lee Warner,...	44	0	0	44
Mr. Williams,.....	67	4	4	75
Total.....	114	4	4	122

79. The Principal Sudder Ameen, Moolvee Mahomed Majid, disposed of 230 cases in the manner noted in the margin.* There were 17 appeals from the decisions of this officer pending at the close of the year 1838, and 48 were instituted before the Judge during the year 1839, making a total of 65, which were dealt with in the manner noted in the margin.† Of eight appeals from the Principal Sudder Ameen's decisions, preferred direct to the Sudder Court, one was adjusted, and the rest were pending at the close of the year. With reference to the number of suits disposed of by the Principal Sudder Ameen, the Court consider the result of his pro-

* Decided on trial,..... 196
Dismissed on default,.... 27
Adjusted or withdrawn, 7
230

† Confirmed,..... 14
Reversed or modified,... 16
Dismissed on default.... 4
Adjusted or withdrawn, 1
Pending, ... 30
65

ceedings to be satisfactory; and they observe with pleasure that he continues to enjoy the good opinion of his immediate superior, as appears from the following extract from Mr. Williams' report of the 27th May 1840. "My predecessors have recorded their high opinion of Moulvee Mahomed Majid, Principal Sudder Ameen. To theirs I must add my own. His decisions are given after much consideration, and exceed in number those of the year preceding."

* Regular Suits.	Bhagulpore.	Tirhoot.	Total.
Decided on trial, ...	73	16	89
Dismissed on default, ...	22	1	23
Adjusted or withdrawn,	32	0	32
Total,.....	127	17	144
Appeals.			
Pending of 1838, ...	19	8	27
Admitted in 1839, ...	33	6	39
Total,.....	52	14	66
Confirmed, ...	26	4	30
Reversed or modified, ...	16	2	18
Dismissed on default, ...	0	1	1
Adjusted or withdrawn,	0	0	0
Pending, ...	10	7	17
Total,.....	52	14	66

80. The Sudder Ameen, Mahomed Rafeek, stationed at Monghyr, has jurisdiction also over a part of Tirhoot. A statement is given in the margin* of the number of cases disposed of by him during 1839, and the number and result of the appeals from his decisions. The statement on the whole is satisfactory, and does credit to the Sudder Ameen, of whom Mr. Williams observes that he "maintains his character for ability and general correctness of decision."

Decided on trial, ...	1394
Dismissed on default,	139
Adjusted or withdrawn,	362
Total,...	1895
Pending of 1838, ...	42
Preferred in 1839, ...	204
	246
Confirmed,.....	99
Reversed or modified,.....	82
Adjusted or withdrawn,.....	1
Dismissed on default, ...	2
Pending,.....	62
	246

81. The Moonsiffs of Bhagulpore disposed of 1895 suits in the manner noted in the margin.* A statement is also given of the appeals from their decisions, which calls for no particular remark. The Judge speaks highly of Mahomed Huneef, Moonsiff of Bhagulpore, and Izzut Ally, Moonsiff of Noorgunge: the result shown by the statements however, is much in favor of the former officer.

82. There was no suit before the Collector at the close of the year under Section 30, Regulation II. 1819. Two cases were tried under the provisions of Regulation VI. 1832, and both were decided in accordance with the opinion of the Punchayut. Three suits were instituted to set aside the summary awards of the revenue authorities for arrears of rent.

83. The aggregate amount or value of the original suits and appeals pending on the 1st January 1840, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	0	47082	47082
Ditto P. S. Ameen, ...	96352	1949	98301
Ditto S. Ameen,.....	27513	0	27513
Ditto Moonsiffs,.....	51632	0	51632
Total, ...	175497	40931	224528

MISCELLANEOUS CASES.

84. The miscellaneous file of the district of Bhagulpore on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	95	137
„ P. S. Ameen,.....	158	116
„ S. Ameen,...	88	65
„ Moonsiffs, ...	510	540
	851	858

shewing a slight increase of 7 cases.

85. The marginal statement* shews the cases of most importance on the file of the Judge. The applications for the admission of special appeals should be at once attended to. The marginal statement† shews the number of appeals to the Sudder Court from the orders of the Judge in miscellaneous cases, together with the manner of their disposal. There were two appeals to the Sudder from the orders of the Principal Sudder Ameen. The order of the lower court was confirmed in one case. The other had not been decided at the close of the year.

* Reviews of judgment, 4
Applications for admission of special appeals,..... 23
Summary appeals under Sec. 3, Reg. XXVI. 1814, and Act XXII. 1838, 8
Execution of decrees,... 23
† Pending of 1838,..... 10
Preferred in 1839, ... 16
26

Confirmed, ... 8
Reversed or modified, ... 5
Pending, ... 13
26

86. The files of the Native Judges are generally light, and call for no particular remark.

87. The statements in the margin* show the number of applications for the execution of decrees admitted and disposed of in the year 1839, as also the years in which the applications pending at the close of the year, were instituted. They are considered satisfactory.

* Pending of 1838, 639
Admitted in 1839, 1370
2009
Disposed of in 1839, 1376
633

1836,..... 1
1837,..... 6
1838,..... 19
1839,..... 607
633

GENERAL REMARKS.

88. The statements for the district of Bhagulpore were submitted by Mr. Williams with his letter of the 27th May, and received by the Court on the 13th June, that is 4½ months after the date on which they were due. The Judge will be informed that any repetition of such neglect will render it necessary for them to bring his conduct to the particular notice of the Government.

89. The files of the Bhagulpore district are generally light, and the administration of justice in the civil courts, appears to the Court to be efficient.

Zillah East Burdwan.

90. The regular file of the district of East Burdwan on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before the Judge, ...	100	84
Ditto P. S. Ameen, ...	344	211
Ditto S. Ameen, ...	157	57
Ditto Moonsiffs, ...	2860	2433
	3461	2785

being a reduction of 676 suits.

91. The number of original suits and appeals instituted during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before the Judge, ...	642	689
Before Moonsiffs, ...	5562	5061
	6204	5750

being a decrease of 454 cases. The Judge states his inability to assign any particular reason for the decrease in the number of suits instituted.

1816, ...	1
1830, ...	1
1832, ...	1
1834, ...	2
1835, ...	2
1836, ...	7
1837, ...	13
1838, ...	68
1839, ...	2690
	2785

92. The marginal statement* shows the years in which the suits pending on the 31st December last, were instituted. The suit of 1816 was originally decided by the Register on the 14th September of that year. The decision of the Register was appealed to the Judge and the Provincial Court of Appeal on the 31st July 1818 and 31st December 1830, respectively. An application for a review of judgment was then made to the Sudder Dewanny Adawlut, and the applicant was referred to the Provincial Court by which the decree had been passed. That Court applied to the Sudder Dewanny Adawlut for permission to review their judgment, but no reply appears to have been given by the Superior Court. At length on the abolition of the Provincial Court, the Sudder Dewanny Adawlut directed the Judge of Burdwan to transfer the case for trial *de novo* to one of the Principal Sudder Ameens. This order was received by the Zillah Court on the 28th May 1835, and carried into execution. The case was decided by the Principal Sudder Ameen on the 27th June 1837, and, on appeal to the Judge, was sent back to the Principal Sudder Ameen for re-investigation on the 30th November 1839. Although the number of suits pending above one year has been greatly reduced, as compared with the year preceding that under review, the Court are of opinion that in many instances the reasons given for old cases still appearing on the file are not altogether satisfactory.

93. The marginal statement exhibits the number of original suits retained for special reasons on the files of the Judge, Principal Sudder Ameen, and Sudder Ameen. The reasons given are quite sufficient.

Original suits not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge,.....	0	0	1	1
Ditto P. S. Ameens,	26	2	0	28
Ditto S. Ameen,...	40	0	0	40
Total,.....	66	2	1	69

94. Mr. R. Barlow held the office of Judge of Burdwan from the 1st to the 23d January; from the 24th of that month to the 3d of March, Mr. Assistant Shaw was in charge of the current duties of the office; and from the 4th March to the close of the year, Mr. T. Wyatt was Judge of the district. The memorandum in the margin* shows the time devoted by the Judges to civil and criminal business.

	Days.
* Civil Court, ...	149
Sessions ditto.....	67
Sundays and Holidays,	122
Mr. Shaw was in charge,	27
	365

95. The number of suits disposed of by Mr. Barlow was five, and that by Mr. Wyatt 139 (as per margin*) making a total of 144. One regular and three special appeals from the decisions of Mr. Barlow, and two regular appeals from those of Mr. Wyatt, were preferred to the Sudder Dewanny Adawlut during the year 1839. These remained on the file of the Sudder Court at the close of the year. The marginal statement† shews the number of miscellaneous appeals from the Judge's orders and the manner of their disposal.

* Decided on trial,.....		126
Dismissed on default,		9
Adjusted,.....		4
		139
† Pending of 1838.....		8
Preferred in 1839, ...		22
		30
Confirmed, ...	14	
Modified or reversed, ...	4	
Dismissed on default,.....	3	
Pending, ...	9	
		30

96. The 1st Principal Sudder Ameen, Cazee Russool Buxsh, took charge of his office on the 4th March 1839, and during the remainder of the year he disposed of 281 suits in the manner indicated in the margin.* Five appeals from his decisions were preferred to the Zillah Judge, which were undecided at the close of the year. No appeal of any kind from this officer's decisions was preferred, during the year, direct to the Sudder Dewanny Adawlut. The quantity of business transacted by Cazee Russool Buxsh is creditable to him.

* Decided on trial,.....	222
Dismissed on default,...	55
Adjusted or withdrawn,	4
	281

97. The late 2d Principal Sudder Ameen, Rae Parusnath Bose, after deciding 11 suits, resigned his office of Principal Sudder Ameen on the 17th January, preparatory to his transfer to the office of Dewan on the establishment of the Nawab Nazim of Moorshedabad. He was succeeded by Syud Jonab Ally, Additional Principal Sudder Ameen of Mymensing, who took charge of the office on the 4th February, and disposed of 335 suits during the year in the manner shown in the margin.* Three appeals from his decisions were preferred to the Judge, which were pending at the close of the year. The results exhibited by the returns are very creditable to Syud Jonab Ally, and the Court have perused with great satisfaction the following testimony of the Judge to his official character:—"Syud Jonab Ally was transferred from Mymensing to this district as Principal Sudder Ameen, and assumed charge of his office here on the 4th February 1839. Out of 70 original suits instituted he has decided 31, of which 3 appeals have been referred to me, which are pending; and of 386 appeals preferred from the decisions of the Sudder Ameens and Moonsiffs, he has disposed of the large number of 304. He has disposed

* Decided on trial,.....	264
Dismissed on default,...	65
Adjusted or withdrawn,	6
	335

also of 587 miscellaneous cases. I have been entirely satisfied with the official conduct of this officer. His application to his duties has been unremitting, as will be evident from the quantity of work he has got through during the year. By the entire community, European as well as Native, he is regarded for the purity of his judicial character and considered a most able officer. I think him so entirely deserving of the highest salary awarded to this class of officers as to recommend him to the favorable notice of the Court for obtaining it."

98. Two officers held the appointment of Sudder Ameen of East Burdwan during the year 1839, viz. Cazee Russool Buxsh from the 1st January to the 3d March, and Opindur Chunder, late Moonsiff in Jessore, from the 3d April to the close of the year,—the office having been vacant from the date of the Cazee's promotion to that of his successor's joining it. The number of cases decided by these officers respectively is stated in the margin.* A statement of appeals from their decisions is similarly given,† and in regard to the results exhibited by the latter, the Judge observes:—"Out of 34 appeals tried from the decisions of Cazee Russool Buxsh, 20 having been reversed, the result cannot be viewed as satisfactory. Of this number (34) I have myself tried 10, of which 4 were confirmed and 6 reversed.—But five appeals out of 48 preferred from the decisions of Opindur Chunder, Sudder Ameen, having been tried, insufficient ground exists for an opinion as to the quality of his decisions, but it is to be remarked that above one-third of his decisions appear to have been appealed." In these remarks the Court concur.

* Cazee Russool Buxsh.

On trial,	31
Dismissed on default,	8
Adjusted or withdrawn,	4
	43

Opindur Chunder.

On trial,	134
Dismissed on default,	40
Adjusted or withdrawn,	10
	184

† Cazee Russool Buxsh.

Pending of 1838,	34
Admitted in 1839,	13
	47
Confirmed,	14
Reversed,	20
Dismissed on default,	1
Pending,	12
	47

Opindur Chunder.

Admitted in 1839,	48
Confirmed,	3
Reversed,	1
Dismissed, &c.	1
Pending,	43
	48

99. In speaking of the official character of the officers who held the office of Sudder Ameen during the year under review, the Judge remarks that they have been attentive to their public duties and have the reputation of being upright officers. With reference to the marginal extract* from the Court's resolution for 1838, the Judge submitted a report on the state of health of Cazee Russool Buxsh, which did not appear to the Court to be such as to incapacitate him for office, or to call for further medical inquiry.

* "The Judge will of course bring to the notice of the Court should the Cazee's state of health be the cause of continued inattention to his duties, which, since his promotion, have materially increased."

100. The Moonsiffs of East Burdwan disposed of 5571 suits in the manner exhibited in the margin.* The number of appeals from their decisions is noted in the margin,† together with the manner in which the cases were disposed of. The relative number of decisions confirmed and reversed is far from satisfactory. The Judge remarks that the number of appeals in proportion to the number of decisions of the Moonsiffs is not large, but it is to be observed that of the large number of cases disposed of in the courts of the Moonsiffs, but 1303 were defended. On a minute examination of the returns it appears that while 22 of the decisions of Nazir-ood-deen Mahomed, Moonsiff of Bohar, were confirmed, only 8 were reversed, a result very creditable to the Moonsiff, he having decided 235 suits on trial, of which 82 were defended. With reference to the number of their decisions and of the cases defended in their respective courts, the number of appeals from the

* Decided on trial, ... 4188
Dismissed on default, 801
Adjusted or withdrawn, 522
5571

† Pending of 1838, ... 299
Admitted in 1839, ... 467
766

Confirmed,	258
Modified or reversed,	243
Dismissed on default,	101
Adjusted or withdrawn,	7
Pending,	156
Transferred to other Zillahs,	1
	766

decisions of the Moonsiffs named in the margin*, especially in that of Dwarkanath Roy, Additional Moonsiff of Samuntee, is small, and shows that the work done by them was good and efficient.

Names.	Jurisdiction.	Decided.	No. of Appeals.
Gopal Kishen Roy*,	Khundghose,	190	16
Dwarkanath Roy, ...	Additional Moonsiff of Samuntee,	172	5
Mohumud Wallee, ...	Bhutooreah,	265	8
Ullee Hyder, ...	Bamunarrah,	292	19

* This officer only acted for a short time as Moonsiff.

101. Of the Moonsiffs of East Burdwan, the Judge does not speak favorably, except in a very few instances, as will be seen from the following extract from his report. "With reference to the official characters and qualifications of the Moonsiffs as a body, I regret I cannot speak favorably. Dwarkanath Roy, Additional Moonsiff of Samuntee, seems to stand highest in native opinion for integrity, ability, judgment and industry, and I would recommend him to be confirmed as soon as a vacancy occurs. Next to him Ullee Hyder, Moonsiff of Bamunarrah, and Nazir-ooddeen Mahomed, Moonsiff of Bohar, are esteemed for their probity. None of the other Moonsiffs seem worthy of notice."

102. Mr. Wyatt further remarks in regard to the three Moonsiffs named in the margin,* that "in trying the appeals from their decisions he found them to betray a culpable ignorance of some of the most important regulations, rendering the orders passed by them highly irregular."

* Ullee Ukbur of Burdwan. Mahomed Nofeh of Seebrampore. Mahomed Ahummud of Mohummudpore.

103. In consequence of remarks made by Mr. Barlow, the late Judge of East Burdwan, in his report on the administration of civil justice in that district during the year 1838, the Court urged upon his successor the necessity of a vigilant supervision over the courts of the Native Judges, especially with reference to the fact of most of the Moonsiffs being unacquainted with the vernacular language, in which all the proceedings of their courts are now conducted. At a subsequent period the Court intimated to the Judge that they did not then consider it necessary to subject the Moonsiffs to any formal examination. This communication was made in the expectation that these officers would endeavor to qualify themselves for the competent discharge of their duties by studying the language. The Court regret however to observe, from the following extract from the report, that this expectation has been but very partially realized. "The superior Court's orders (paras. 2 and 3,) dated the 18th October last, quoted in the margin,* having only reached me on the 3d November, within eight days of the opening of the courts, after the Dussarah vacation, I was unable to ascertain in any other manner whether the Moonsiffs, who were imperfectly conversant with the Bengallee language, were endeavouring to make themselves better acquainted with it, than by calling on 10 out of 14 of them who were ignorant of the language, to report what progress they had made in acquiring it, and to do so in their own hand writing if they were able. In reply four† stated (not in their own hand, but under Persian signatures,) that they were entirely ignorant of the language and would acquire it—the remaining six‡ (some in their own hand writing, and others under their signature merely in Bengallee,) informing me that they knew a little how to read and write, and were

* Para. 2. "With reference to your 4th paragraph, the Court request that you will avail yourself of the opportunity afforded by the present vacation to ascertain whether the Moonsiffs, who are imperfectly conversant with the Bengallee, are endeavoring to make themselves better acquainted with that language.

3. "The Court do not consider it necessary to subject them at present to a formal examination, but request that you will intimate to them the expectation of the Court, that they will lose no time in acquiring a competent knowledge of the vernacular tongue."

† Ullee Ukbur, Gurreeboollah, Mahomed Wullee, and Bundah Wullee.

‡ Baharoodeen, Mohummud Nofeh, Fuzzul Ullee, Mohummud Ahummud, Illahee Buxsh, and Ullee Hyder.

endeavouring to learn the language more fully. To the above ten the name of Dubeeroodeen Mohummud must be added as knowing nothing of the language. He was suspended at the time, when no enquiry could be made of him, but I am aware that he is wholly unacquainted with the language. I have intimated to him, as well as to the other Moonsiffs, the Court's expectation that they will lose no time in acquiring a competent knowledge of the vernacular tongue. From so many of the Moonsiffs being ignorant how to read or write Bengallee, I fear, as observed by my predecessor, Mr. Barlow, that the business of their courts must be almost entirely placed in the hands of their Serishtedars."

104. With reference to the observations contained in the preceding paragraphs, the Court remark that officers whose proceedings evince an ignorance of the most important regulations under which they act, or who are unacquainted with the language in which their proceedings are carried on, cannot be considered otherwise than as incompetent to discharge the duties of their office. The Judge of East Burdwan will communicate this opinion of the Court to the Moonsiffs whose ignorance or incapacity has given occasion to the foregoing remarks; and in the event of its hereafter appearing that no improvement has taken place, in regard to the points in which their efficiency as judicial officers has been called in question, the Judge should submit the report prescribed by Clause 2, Section 26, Regulation V. 1831, in communication with the Commissioner of the Division.

105. Three of the Moonsiffs of this district were charged with corruption in the discharge of their judicial functions during the year 1839: one of them has been fully acquitted: the Judge's attention will be called to the immediate investigation of the charges which are still pending* against the other officers alluded to.

* Date of Resolution, 26th March, 1840.

106. The number of suits under reference to the Collector at the end of the year was 10. No suit was tried under the provisions of Regulation VI. 1832, with the aid of a punchayut, assessors, or a jury.

107. The amount or value of original suits and appeals on the 1st January 1840, was as follows :—

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	1066	20680	21746
Ditto P. S. Ameens, ...	2861942	10100	2872042
Ditto S. Ameen, ...	14549	0	14549
Ditto Moonsiffs,.....	87474	0	87474
Total,.....	2965031	30780	2995811

The statement shows that property of great value is in litigation in the courts of the Principal Sudder Ameens.

MISCELLANEOUS CASES.

108. The miscellaneous file of the district of East Burdwan on the 1st January 1839 and the 1st January 1840, was as follows:—

	1839.	1840.
Before Judge,.....	418	582
„ P. S. Ameens, ...	445	328
„ S. Ameen, ...	279	170
„ Moonsiffs, ...	3065	2640
	4207	3720

being a reduction of 487 cases.

109. The Court observe that the number of miscellaneous cases on the file of the Judge had considerably increased on the whole, but that there was a considerable reduction in the number of cases pending above one year, of which only one remained undecided at the close of the year. The number of applications for the admission of special appeals, and of appeals under the provisions of Clause 5, Section 3, and Clause 2, Section 5, Regulation VII. 1825, were numerous, and should be immediately attended to.

110. The number of applications for the admission of special appeals disposed of by the Judge was forty-five, in the manner noted in the margin.* The remarks of the Judge regarding the law of special appeal will be hereafter considered.

* Admitted, ... 12
Rejected, ... 32
Struck off, ... 1
45

111. The miscellaneous file of the Moonsiff of Samuntee was very high at the close of the year, but on reference to the monthly returns since received, it appears to have been considerably reduced. The files of the rest of the Native Judges are in a satisfactory state and call for no particular remark.

112. The statements in the margin* show the number of applications for the execution of decrees pending in this district, specifying the years in which those applications were made. The improvement in this branch of the business of the courts has been considerable. The Court observe that of the number of applications removed from the file 1784 were completely executed, and in 1185 instances the decree-holder had failed to proceed with their cases after taking out execution, from which it may be inferred that the majority of them were privately adjusted.

* Pending of 1838,... 1994*
Admitted in 1839,..... 3280
5274
Executed in 1839, ... 3610
Pending,..... 1664
Before 1835 20
In 1835 3
1836 22
1837 34
1838 105
1839 1480

* This shews 10 less than the statement for 1838, in which the number was 2004.

GENERAL REMARKS.

113. The statements of this district were submitted by Mr. Wyatt, together with his report of the 13th February last. They have been carefully prepared, and show that the courts of the district of East Burdwan are generally in a satisfactory condition.

114. With the manner in which Mr. Wyatt discharged the duties of Civil Judge, the Court have every reason to be satisfied.

Zillah West Burdwan.

115. The regular file of the district of West Burdwan on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge,	93	80
Ditto 2 P. S. Ameens,	196	212
Ditto 1 S. Ameen,	115	125
Ditto 14 Moonsiffs,	3260	2917
Total,	3664	3334

being a reduction of 330 suits, chiefly on the files of the Moonsiffs.

116. The following statement gives the number of original suits and appeals filed during the years 1838 and 1839:

	1838.	1839.
Before Judge,	500	664
Ditto Moonsiffs,	4118	3581
Total,	4618	4245

being a decrease of 373 suits.

117. The Judge, Mr. Gouldsbury, makes the following observations in regard to the cases of old standing:

"To enable the Court to judge of the progress which has been made during the past year in the disposal of regular suits of old standing, I beg to subjoin a specification of the years in which the suits pending on the 1st January 1839 and on the 1st January 1840, respectively, were instituted, in parallel columns.

	Pending on the 1st January, 1839.	*Pending on the 1st January, 1840.*
Of 1826,	2	1
„ 1827,	2	0
„ 1829,	2	0
„ 1830,	1	1
„ 1831,	1	2*
„ 1832,	1	3*
„ 1833,	5	5
„ 1834,	7	8*
„ 1835,	43	19
„ 1836,	140	52
„ 1837,	539	99
	743	190
„ 1838,	2921	601
Total,	3664	791
		Of 1839, 2543
		3334

* This increase has been caused by suits which were remanded during the year for re-trial.

"From the above it will be seen that, at the close of last year, a reduction of 2873 suits had been effected in the number of those which were pending at the commencement of it, and that of the 743 suits, pending at the close of 1838, that were instituted in 1837 and preceding years, only 190 remained undecided at the end of 1839. The oldest suits are on the files of the 1st Principal Sudder Ameen, Baboo Doorganarain Rae, the Sudder Ameen, Kooer Jye Gopal Sing, and the Moonsiff of Radhanagore, Udeel Ooddeen. The files of the Moonsiffs of Bancoorah and Sonamookhy also shew a large number of old suits; but the Court may rely on my best exertions being used, to effect the early disposal of these cases. Scarcely a month has passed without the attention of the Native Judges having been called to this important subject; and on a recent occasion, with a view to ensure the attention of the object in view, I strictly prohibited their deciding any suit out of its regular order on the file, except for special reasons, which are invariably to be recorded in their proceedings. This latter measure will, I trust, have a beneficial effect, by imposing a check on the practice which prevails of taking up suits of easy decision, without reference to their order on the file, in order to make up the prescribed number of decisions in each month."

118. With reference to the foregoing statement the Court observe that there has been a great reduction in the number of suits instituted in more recent years. This was to have been expected; but they remark that though there are now pending no cases of the years 1827 and 1829, there has been no improvement in regard to those instituted in the remaining years prior to 1835. The Court rely with confidence on the promised exertions of Mr. Gouldsbury to effect the early disposal of these cases. They very much doubt, however, the expediency of issuing any such order as that alluded to in the latter part of the foregoing quotation from his report forwarded with his statements. Had Mr. Gouldsbury confined himself to generally instructing the Native Judges to take up all trials in their regular order, the Court could not but have approved of such instructions; but in issuing his present orders, the Court are appprehensive that great and unnecessary delay might occur in the decision of cases ready for disposal. The Court consider that the more effectual way would be for the Judge to call for particular explanation in any cases wherein the Native Judges may appear to have deviated from the regular order of the file. Mr. Gouldsbury will be instructed by the Court to modify his orders accordingly.

119. The marginal statement shows the number of original suits which, from their amount, were cognizable by the lower courts, but for special reasons were retained on the files of the superior Courts. The reasons given are satisfactory. The Court observe that no cases above 5000 rupees were retained on the file of the Judge, the whole of them having been referred to the Principal Sudder Ameen.

Original suits not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge.....	9	0	0	9
Ditto P. S. Ameen,	4	16	0	20
Ditto S. Ameen,...	86	0	0	86
Total,.....	99	16	0	115

120. Mr. Gouldsbury held the office of Judge of West Burdwan during the year 1839. He was engaged in the civil court 190 days, and disposed of 146 regular trials in the manner noted in the margin.* On the subject of the work done in the Judge's office, Mr. Gouldsbury has submitted the following remarks.

* Decided on their merits, ... 141
Dismissed on default,... 5
146

"During the year 1839, I was employed for 190 days in the civil court, and for 50 days in sessions and criminal duties (the rest of the year having been taken up by Christian and native holidays and Sundays.) The number of regular suits disposed of by me during the above period, was 146, which were decided in the manner noted in the margin.* This may not be considered a large number of regular decisions; but before the Court pass any opinion regarding it, I would beg to solicit their attention to the quantity of miscellaneous business disposed of by me during the year as per margin,† amounting in the aggregate to 8036 cases, which will sufficiently account for the amount of regular decisions being less than might otherwise have been expected. In this district the greater part of the Judge's time must of necessity be devoted to the miscellaneous department, which is in itself nearly sufficient to give full occupation to one functionary. Special appeals and summary appeals under Regulation VII. 1825, are numerous, and it requires great and unremitting attention to prevent an arrear of these cases accumulating." This explanation, the Court observe, is perfectly satisfactory.

* On merits,	141
Dismissed on default,	5
	146

† Petitions for review of judgment,	24
Ditto for special appeals,	149
Ditto for summary ditto under Sec. 3. Reg. XXVI. 1814,	10
Summary appeals under Clause 5, Sec. 3. Reg. VII. 1825,	242
Summary suits for dispossession under Reg. XLIX. 1793,	10
Petitions for admission to sue as paupers,	51
	486
Other miscellaneous business,	7550
Total,	8036

121. No appeals, either regular or special, from Mr. Gouldsbury's decisions were preferred to the Sudder Court during the period under review. The statement of miscellaneous appeals, which is very creditable to the Judge, is entered in the margin.*

* Pending of 1838,	2
Admitted in 1839,	10
Total,	18
Confirmed,	9
Dismissed on default,	3
Pending,	6
	18

122. The 1st Principal Sudder Ameen, Baboo Doorganarain Rae, disposed of 318 original suits and appeals in the manner shown in the margin.* The number of appeals from his decisions are similarly noted.† Mr. Gouldsbury remarks in regard to these statements: "Although the proportion of reversals to confirmations is large, the number of appeals preferred bears but a small ratio to the number of decisions, which, considering the litigious disposition of the inhabitants of this district, and their proneness to appeal whenever they think there is a chance of obtaining a reversal of a decree, cannot but be considered creditable to this functionary. Baboo Doorganarain Rae continues to merit the high opinion of his character and judicial qualifications which I expressed in my last annual report; and the large quantity of business disposed of by him during the past year entitles him to commendation for his assiduity and diligence." The Court have perused with pleasure the foregoing testimony of the Judge to the official character of Baboo Doorganarain Rae: they cannot however but consider the number of reversals of his decisions to be very large in proportion to the number confirmed. They observe moreover that the whole number thus reversed were special appeals. This circumstance, coupled with the information supplied by the marginal extracts‡ from the last column of the annual statements of appeals, evinces a want of judgment on the part of the Principal Sudder Ameen, in interfering with the decrees of the Sudder Ameens and Moonsiffs.

* Decided on trial,	280
Dismissed on default,	33
Adjusted or withdrawn,	5
Total,	318

† Pending of 1838,	0
Admitted in 1839,	54
	60
Confirmed,	9
Modified or reversed,	31
Dismissed on default,	2
Pending,	18
	60

‡ Number of special appeals in which the Judge concurred with the Principal Sudder Ameen in confirming or modifying the original decree of the lower courts, ... 27
Number of cases in which the Judge, differing in opinion from the Principal Sudder Ameen, reversed his decision and upheld that of the lower courts, ... 48

123. The 2d Principal Sudder Ameen, Moulvee Abdool Majeed Khan, disposed of 337 suits in the manner noted in the margin.* A statement of appeals from this officer's decisions is also given.† Mr. Gouldsbury's observations as to his official character are to the following effect. "This officer bears a high character for his literary and scientific attainments; and I believe him to be a zealous and upright functionary; but I do not think that his decisions, on the whole, are so good as those of the 1st Principal Sudder Ameen: he appears to be somewhat hasty in forming his opinions, and to pay more regard to the *quantity* than the *quality* of his work. The proportion of reversals to decisions is, however, less in his case than in that of the 1st Principal Sudder Ameen."

* Decided on trial,.....		305
Dismissed on default,...		29
Adjusted or withdrawn,		3
Total,...		337
† Pending of 1838,.....		2
Admitted in 1839,.....		35
		37
Confirmed,.....	5	
Modified or reversed,.....	14	
Dismissed on default, ...	1	
Pending,.....	12	
		37

124. The Court abstain from forming any opinion in regard to the character and conduct of Moulvee Abdool Majeed until they receive the Judge's further report (the transmission of which he will be requested to expedite) on the subject of the marginal extract* from his report, which involves a charge against the Principal Sudder Ameen no less than that of falsifying his monthly returns.†

* "Some of the statements submitted by the 2d Principal Sudder Ameen, Moulvee Abdool Majeed, were very incorrectly prepared, for instance, suits adjusted by Razeenameh and Safeenameh, were entered as "dismissed on merits," notwithstanding that the Circular Orders on the subject were duly communicated to him. This irregularity not having been brought to light until the annual statements were being prepared, it could only be corrected by the insertion of a note in the Statement No. 1, *specifying* the number of suits which had been thus erroneously entered in the monthly statements, as far as could be ascertained from the Register Books of his office. An explanation has been called for on this point from the Principal Sudder Ameen.

† The explanations furnished by Abdool Majeed Khan, through the Judge, and the orders passed thereon, are subjoined:

Extract from the Judge's letter, dated the 4th May, 1840.

Para. 1. With reference to paragraph 29 of my letter, No. 6, dated the 13th January last, which accompanied the civil statements of this district for the past year, I have now the honor to submit, for the consideration of the Court, the explanation which was called for from the 2d Principal Sudder Ameen of this district, Moulvee Abdool Majeed, regarding the irregularities therein adverted to, together with such of the papers connected with the subject as it appears necessary to lay before the Court.

3. In explanation of the irregularities, noticed in the foregoing paragraph, the 2d Principal Sudder Ameen submits that his decisions were passed previous to the receipt by him of the Circular Orders of the Court prohibiting the practice. I find on reference to my official records that the Circular of the 20th July 1838, did not reach this office till the 28th August, and that the translation of it was not forwarded to the Principal Sudder Ameen till the 6th of November following. This excuse is however scarcely sufficient, as it ought to have occurred to the Principal Sudder Ameen that the entry of such suits, under the head of decisions on merits, was calculated to convey an erroneous estimate of the nature of the work performed by him, and the Court's orders on the subject were merely intended to prohibit a practice which had *previously* been considered irregular, not to establish *new rules* involving the abolition of a custom which had, antecedent to their promulgation, been considered legal and regular.

The Court's orders under date the 15th idem.

The Court, having had before them your letter No. 57, dated 4th instant, direct me to observe that the practices of the Principal Sudder Ameen, Moulvee Abdool Majeed, which are therein detailed, are of a highly objectionable nature; but, adverting to the high character which that officer has hitherto borne, and to your remark that he has not been actuated by any corrupt motives, the Court deem it sufficient on this occasion that he be warned against committing such irregularities in future, and be informed that very serious notice will be taken of his conduct should he transgress the rule laid down for his guidance.

125. No regular appeals from the decisions of the Principal Sudder Ameens were preferred direct to the Sudder Dewanny Adawlut under the provisions of Act XXV. 1837. The only appeal lodged in the Sudder Court from the decisions of the Principal Sudder Ameens of West Burdwan was in a miscellaneous case; and was pending at the close of the year.

126. The quantity of business disposed of in the court of the Sudder Ameen, and the character of the officers who held that appointment during the period under review, are thus stated by Mr. Gouldsbury:—

"Mr. J. Dunsmure held the office of Sudder Ameen from the commencement of the year until his death on the 14th of August: his health was, however, so indifferent as to prevent his paying much attention to his duties.

"Hurrischunder Das acted as Sudder Ameen from the 22d July until the arrival of Kooer Jye Gopal Sing on the 30th November."

"The number of suits disposed of by each of these functionaries, the number of appeals, and their result, are noted below:—

MR. DUNSMURE.

	As S. A.	*As Mff.*	*Total.*
Decided on trial,	29	69	98
Dismissed,	12	27	39
Adjusted or withdrawn,	7	1	8
	48	97	145

APPEALS FROM MR. DUNSMURE'S DECISIONS.

	As S. A.	*As Mff.*	*Total.*
Pending of 1838,	3	3	6
Preferred in 1839,	12	19	31
	15	22	37
Confirmed,	1	8	9
Modified or reversed,	3	10	13
Dismissed,	3	2	5
Pending,	8	2	10
	15	22	37

HURRISCHUNDER DAS.

	As S. A.	*As Mff.*	*Total.*
Decided on trial,	14	62	76
Dismissed on default,	6	14	20
Adjusted or withdrawn,	2	4	6
	22	80	102

APPEALS FROM HURRISCHUNDER DAS'S DECISIONS.

	As S. A.	*As Mff.*	*Total.*
Preferred,	10	6	16
Confirmed,	0	1	1
Modified or reversed,	1	0	1
Dismissed,	1	0	1
Adjusted,	1	0	1
Pending,	7	5	12
	10	6	16

KOOER JYE GOPAL SING.

	As S. A.	*As Mff.*	*Total.*
Decided on trial,	6	19	25
Dismissed on default,	2	5	7
Adjusted or withdrawn,	1	0	1
	9	24	33
APPEALS.			
Preferred,	0	0	0

" Of Mr. Dunsmure's character, it is unnecessary for me to give any opinion. Hurrischunder Das's name was mentioned in my last report as 'the most zealous, capable, and trustworthy Moonsiff' in the district, a character which he continues to merit, and which will, I trust, ere long lead to his promotion, though it has failed to obtain for him the appointment of which he so efficiently performed the duties, while officiating in it.

" Kooer Jye Gopal Sing has not been sufficiently long in the district to enable me to form a correct opinion of his judicial qualifications. He seems to be an intelligent young man, and well acquainted with the practice of the courts; it is however a matter of regret that his promotion has placed him in a district where so many of his relatives and connections reside."

With reference to the Judge's concluding remarks, the Court will take an early opportunity of recommending the removal of Kooer Jye Gopal Sing to another district.

127. In regard to the Moonsiffs the Judge remarks—" The Moonsiffs disposed of 4189 suits in the manner indicated in the margin.* The number of appeals from these officers pending at the close of the year 1838, the number instituted in 1839, and their results, are also noted.† The reversals are in the proportion of 1 to 7½ of the number to decisions on merits."

* Decided on trial. ... 3171
Dismissed on default, 698
Adjusted or withdrawn, 320
4189

† Pending of 1838, ... 167
Admitted in 1839, ... 623
Total.... 790
Confirmed, ... 139
Reversed or modified. 430
Adjusted or withdrawn, ... 2
Dismissed on default, ... 41
Pending, ... 178
790

128. The Court consider the number of reversals to be very large; but on a minute examination of the statement it would appear that this result is mainly attributable to the great number of bad decisions passed by Moulvee Mahomed Sajid, Additional Moonsiff of Indoss, nearly one-fourth of whose decisions were reversed; and by Fuzzuloollah, Additional Moonsiff of Kotulpore, more than one-half of whose decisions were similarly dealt with. The latter of these officers has been suspended, and a criminal prosecution against him is now pending. The Judge will be requested to watch carefully the proceedings of Moulvee Mahomed Sajid.

129. It is to be observed that almost the whole of the appeals were tried by the Principal Sudder Ameen, but this is accounted for by the Judge in the following extract from his letter.

"Owing to the press of miscellaneous business in my court, the disposal of the appeals from the decisions of the Moonsiffs has devolved in a great measure upon the Principal Sudder Ameens, during the period under review; but I have, notwithstanding, had ample means afforded me of judging of the quality of the decisions of the lower courts, in the number of special appeals, and of applications for permission to remand suits to the Moonsiffs for retrial from the Principal Sudder Ameens, under the Court's Circular No. 1711, dated the 14th June last; no less than 149 of the former and 178 of the latter description of cases having passed through my court during the year. I have also myself decided 21 appeals from the Moonsiffs, and have passed orders for the admission of the appeal in several suits, which were not finally disposed of by me."

130. Of the remaining Moonsiffs the Judge gives a satisfactory report, especially of the three mentioned in the margin,* two of whom, Hurrischunder Das and Mahomed Ibrahim, are of the 1st grade.

* Hurrischunder Das, Moonsiff of Burjora.
Mahomed Ibrahim, Moonsiff of Bishenpore.
Muzhur Ally, Additional Moonsiff of Burjora.

131. Six suits were under reference to the Collector under Section 30, Regulation II. 1819, at the close of the year. No suits were tried with the assistance of juries under the provisions of Regulation VI. 1832.

132. The amount or value of the original suits and appeals, pending on the 1st January 1840, was as follows:—

	Original Suits.	*Appeals.*	*Total.*
Before the Judge, ...	703	15164	15867
Ditto P. S. Ameens, ...	182964	14602	197566
Ditto S. Ameen, ...	19743	0	19743
Ditto Moonsiffs, ...	96472	0	96472
Total, ...	299882	29766	329648

MISCELLANEOUS CASES.

133. The miscellaneous file of the district of West Burdwan on the 1st January 1839 and the 1st January 1840, is noted in the margin,* shewing a reduction of 1240 cases. The result is satisfactory and creditable to the judicial functionaries of the district.

	1839.	1840.
* Before Judge,...	417	384
Do. P. S. Ameens,	403	257
Do. S Ameen,	240	166
Do. Moonsiffs,	3402	2415
	4462*	3222

* Erroneously entered in last year's report as 4302.

134. The following remarks of the Judge shew that he is fully aware of the importance of prompt attention to the miscellaneous duties of a court. "The quantity of business disposed of has been very large. There are very few miscellaneous cases of importance pending on my file; and those remaining undecided, are susceptible of early disposal. Applications for the admission of special appeals are generally disposed of within the month, as are summary appeals under Regulation VII. 1825, which serves as a check to frivolous and litigious petitions, and tends to facilitate the execution of decrees. A considerable reduction has been made in the number of miscellaneous cases of old standing during the year; and I think it may be confidently asserted that no exertions will be spared to ensure the speedy disposal of those still remaining, the greatest number of which are on the files of the Sudder Ameen, the Moonsiffs of Radhanagore, Kotulpore, Sonamooky and Potenah, and the Additional Moonsiff of Kotulpore."

135. The important miscellaneous business disposed of by the Judge has been already stated above. Eleven petitions of appeal under the provisions of Regulation VII. 1825, and four cases of execution of decrees were the most important cases on his file at the close of the year. This state of things is highly to Mr. Gouldsbury's credit.

136. The files of the Native Judges do not call for any further remarks.

137. The marginal statement* shows the number of applications for the execution of decrees pending in the district of West Burdwan at the close of 1838 and 1839, together with the years in which the applications, at present pending, were preferred. Mr. Gouldsbury remarks in regard to the execution of decrees as follows:—

* Pending at the end of 1838, ...		2068
Admitted in 1839, ...		1906
Re-admitted,.....		1271
		5245
Disposed of in 1839,...		3721
Balance,.....		1524
Before 1835,.....	19	
In 1835,.....	18	
„ 1836,.....	32	
„ 1837,.....	64	
„ 1838,.....	299	
„ 1839,.....1092		
		1524

"There were 2068 applications for the execution of decrees pending at the close of 1838. During the year 1839, 1906 applications were preferred, and 1271 re-admitted, making with those which were pending a total of 5245
of which were disposed of in 1839,.... 3721
leaving a balance of..... 1524
being a reduction of 544 when compared with the preceding year. The following

statement will show what progress has been made in disposing of decrees of old standing:—

	Pending on 1st Jany. 1839.	*Pending on 1st Jany. 1840.*
Before 1834	53	0
In 1834	14	19
„ 1835	61	18
„ 1836	130	32
„ 1837	293	64
„ 1838	1517	299
	2068	432
	Of 1839	1092
	Total	1524

"The above suffices to show that the progress made during the past year in the disposal of these cases has been satisfactory; but as long as the practice of re-admitting on the file applications that have been repeatedly struck off for default obtains, no great *permanent* reduction can be expected in the number of these cases, as those struck off the file in one year, may be admitted the next, and so on *ad infinitum*. I certainly think that when the holder of a decree has neglected for a long period (say 5 years) to sue out execution, and is unable to assign any satisfactory reason for the delay, he ought to be referred to a fresh suit. Nothing is more common in this district than for the defendants in such cases to assert that they have paid the money, and to bring forward both documentary and oral evidence in support of this assertion; and it is a matter of no small difficulty to form a correct opinion on such conflicting statements, the investigation of which generally occupies as much time as that of a regular suit. In order to guard against unjust demands on the one side, and false assertions on the other, I some time ago caused a notification to be affixed to all the courts of the district, pointing out the expediency of all receipts for the payment of money in satisfaction of decrees being filed in court, as soon as possible after the matter is adjusted between the parties; and I believe that all *bona fide* settlements made subsequent to this notification are duly communicated to the courts; but still there is great difficulty in deciding cases of old standing, where it is as easy for the defendant to produce forged receipts, as it is difficult for the decree-holder to disprove them, and *vice versa*."

138. The statement exhibited is very satisfactory, especially as on reference to the numerical return submitted by the Judge, it would appear that of the number of cases removed from the file no less than 2764 had been completely executed or compromised between the parties. The Court observe that under the existing law the proposition of Mr. Gouldsbury, to limit the period for a second application to the Court for enforcement of a decree, could not be complied with.

GENERAL REMARKS.

139. The statements for the district of West Burdwan were submitted by Mr. Gouldsbury with his letter of the 13th January last. They have been very carefully prepared, and the report submitted by the Judge is very full and satisfactory.

It evinces great care and assiduity on the part of Mr. Gouldsbury in the discharge of the duties of his own office, and in the supervision of those of his subordinates.

140. The opinion of the Court regarding the Native Judges of the district has been already recorded in the body of the resolution.

141. At the 16th paragraph of his report, Mr. Gouldsbury has adverted to the existence of a most illegal and unwarrantable practice adopted by the ministerial officers of the courts of the Native Judges, of levying contributions in the shape of fees for taking the evidence of witnesses, granting copies of papers, &c. The Court observe that proper measures have been taken for putting a stop to this practice; and Mr. Gouldsbury has judiciously devolved the responsibility of permitting its continuance upon the Native Judges themselves. They consider that any repetition of it, clearly substantiated, should be severely punished.

142. The arrangements for the distribution of business in the court of the Sudder Ameen and of some of the Moonsiffs, adverted to in the 19th and 20th paragraphs of the Judge's report, will be separately considered by the Court.

143. As noticed at the 51st paragraph of the report for the year 1838, Mr. Gouldsbury recommended the abolition of one of the Principal Sudder Ameenships of West Burdwan; which however was not acceded to by the Court for reasons then given. Mr. Gouldsbury now observes that a further experience has convinced him of the inexpediency of dispensing with the services of the 2d Principal Sudder Ameen.

144. The observations of the Judge at paragraphs 21, 24, 25, 26, and 27 of his report, on points connected with the general administration of civil justice will be noticed at the close of this report.

Zillah Chittagong.

145. The regular file of the district of Chittagong on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	283	88
Additional Judge, ...	376	274
Ditto P. S. Ameens,.....	593	1030
Ditto S. Ameen, ...	147	187
Ditto Moonsiffs,.....	4960	4600
	6359	6179

being a reduction on the whole of 180 suits.

146. The number of original suits and appeals instituted in the several courts of the district during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judges, ...	1479	1553
Before Moonsiffs, ...	7427	6814
	8906	8367

being a decrease of 539 suits.

1826, ...	1
1827, ...	1
1828, ...	2
1829, ...	1
1833, ...	3
1834, ...	2
1835, ...	13
1836, ...	58
1837, ...	176
1838, ...	907
1839, ...	5015
	6179

147. The marginal statement* shews the years in which the suits pending more than one year, were instituted. The reasons for the delay in the disposal of the old cases are given in the Judge's quarterly report. The Court consider that in many instances they are very unsatisfactory, and that sufficient attention is not paid by the Native Judges to the cases of long standing. The notice of the Judge and Additional Judge will be specially directed to this point.

Not exceeding	Rs. 300	Rs. 1000	Total.
Before P. S. Ameens, ...	26	7	33
Ditto S. Ameen, ...	136	0	136
Total, ...	162	7	169

148. The marginal memorandum shews the number of suits pending on the files of the higher courts, which, with reference to their amount, were within the competency of the courts of inferior jurisdiction. The reasons given for their retention are satisfactory. There were no original suits of any description on the files of the Judges.

149. Mr. H. T. Raikes held the office of Judge of Chittagong throughout the year except from the 1st to the 25th January, during which period Mr. H. Moore, the late Judge, was in charge of the office. Mr. Raikes's time was employed in the manner noted in the margin.*

	Days.
* Civil Court, ...	117
Sessions and Criminal duties, ...	128
Sundays and Holidays, ...	95
	340

150. During the period that Mr. Raikes sat in the civil court, he disposed of 124 suits in the manner indicated in the margin.* Of the number decided on trial, 12 were appeals from the decisions of the Sudder Ameen, 43 from those of the Moonsiffs, and the rest from those of the Principal Sudder Ameens.

* Decided on trial, ...	114
Dismissed on default, ...	7
Adjusted or withdrawn,	3
	124

151. The office of Additional Judge of Chittagong was held by Mr. F. Stainforth from the 24th June to the close of the year. Mr. Stainforth devoted 93 days to the duties of the civil court, (which was closed for the rest of the time on account of Sundays and holidays,) and disposed of 143 suits in the manner shewn in the margin.* No appeals, regular or special, from the decisions of the Judge, or Additional Judge, were preferred to the Sudder Dewanny Adawlut during the year.

* Decided on trial, ...	132
Dismissed on default, ...	11
	143

152. The office of 1st Principal Sudder Ameen of Chittagong was held by Moonshee Mahomed Fyez Khan. He disposed of 332 suits in the manner noted in the margin.* Twenty-two (22) appeals from this officer's decisions were pending at the close of 1838, and 12 were admitted in the year, making a total of 34, which were dealt with in the manner marginally shewn.† The following are Mr. Raikes's observations on the official character and proceedings of Mahomed Fyez Khan:—

* Decided on trial.....	293
Dismissed on default....	34
Adjusted or withdrawn,	5
	332

† Confirmed, ...	5
Modified or reversed, ...	9
Dismissed on default,.....	1
Pending, ...	19
	34

"From the decisions of the Principal Sudder Ameen 87 cases have been appealed, of these 84 were special appeals. Of these again six have been admitted, two disallowed, and one sent back.

"The result shews that one-third of this officer's decisions are appealed from. I cannot say whether this is a fair average when compared with other districts; but bearing in mind the litigious character of the people of Chittagong, I do not deem the proportion excessive.

"It must be admitted that Moonshee Mahomed Fyez has exerted himself during the past year, and, if the number of decisions were alone necessary to test the efficiency of a judicial officer, the state of his file would speak in his favor. My opinion, however, derived from the different proceedings I have had before me from his court, leads me to the conclusion that old age and physical infirmities prevent any vigilant superintendance over his omlah, or strict attention to the matter before him; this imbecility is taken advantage of, and destroys much of the confidence that would otherwise be due to a very old, and, I believe in former times, a very useful servant of the Government. I believe Moonshee Mahomed Fyez acts to the best of his abilities, and is desirous of giving satisfaction, but his decisions are not generally respected in the district."

153. With reference to the foregoing remarks the Court observe that, if the Principal Sudder Ameen's age and infirmities disqualify him for the efficient discharge of his duties, the Judge, in conjunction with the Commissioner, should bring the subject to the notice of the Government. The Court must however remark, in favor of the Principal Sudder Ameen, that although the number of applications preferred for the admission of special appeals was large, the number of appeals actually admitted during the year was small; and again, that although the comparative number of decisions reversed to the number confirmed is large, the number of reversals is small when compared with the number of cases actually decided by the Principal Sudder Ameen.

154. Sheikh Obeydoollah Khan was the 2nd Principal Sudder Ameen of Chittagong. He disposed of 390 cases in the manner noted in the margin.* A second statement† shews the number of appeals from his decisions, and the manner they were dealt with. The Court observe that the whole of the appeals from the decisions of the First and Second Principal Sudder Ameens, which were disposed of by the Judge, were special appeals. The following character of Sheikh Obeydoollah, given by the Judge, is very creditable to the Principal Sudder Ameen:—

* Decided on trial.....	336
Dismissed on default,...	51
Adjusted or withdrawn,	3
	390

† Pending of 1838,.....	15
Admitted in 1839,.....	16
	31

Confirmed,.....	4
Modified or reversed,	6
Pending, ...	21
	31

"There can be no doubt that this officer has exerted himself very effectually in the performance of his duties. I consider him an assiduous, trustworthy and useful officer, and one bearing a high character for integrity and respectability in the district amongst all classes. His judicial talents, though not of the highest order, are above mediocrity, and greatly assisted by his intimate acquaintance with the customs and peculiarities of the native residents of the district."

155. Moonshee Muneerooddeen, formerly Sudder Ameen of Dacca, and Officiating Principal Sudder Ameen of Mymensing, was appointed 3d Principal Sudder Ameen of Chittagong, and joined his office on the 21st of June 1839. Moolvee Ashruf Hussein officiated as 3d Principal Sudder Ameen from the 2d April to the 20th of June. The marginal statement* shews the number of cases decided in the court of the 3d Principal Sudder Ameen. Of the number decided on trial Ashruf Hussein tried 56, and Moonshee Muneerooddeen 135 cases. One special appeal from the decisions of Moonshee Muneerooddeen was admitted, but remained on the Judge's file at the close of the year. The Judge bears the following satisfactory testimony to the official qualifications of Moonshee Muneerooddeen:

* Decided on trial,	191
Dismissed on default,	29
Adjusted or withdrawn,	1
	221

"I consider him an officer likely to prove valuable in this line of the public service. He evidently takes pains to acquaint himself with the Regulations and Circular Orders, and possesses both assiduity and intelligence to direct his talents. He holds excellent testimonials from his former superiors."

156. One appeal from the decisions of Mahomed Fyez, preferred to the Sudder Court, was pending on the Court's file at the close of the year.

157. The office of Sudder Ameen of Chittagong was held by Ashruf Hussein during the year 1839, one of the Moonsiffs however, Moolvee Buddee Ooddeen, acting in it from the 2d April to the 4th July. The number of cases disposed of in the court of the Sudder Ameen is given in the marginal statement.* Of the number decided on trial, 82 were tried by Ashruf Hussein, and 25 by Moolvee Buddee Ooddeen. There were 14 appeals from the decisions of Ashruf Hussein pending at the close of the year 1838, and 35 were admitted during the year 1839, making a total of 49. They were dealt with in the manner noted in the margin.† Of eleven appeals preferred from the decisions of Moolvee Buddee Ooddeen in his capacity of officiating Sudder Ameen, 4 were confirmed, 3 reversed or modified, and 4 pending at the close of the year.

* Decided on trial,	107
Dismissed on default,	20
Adjusted or withdrawn,	16
	143

† Confirmed,	5	
Reversed or modified,	6	
Dismissed on default,	6	
Pending,	32	
		49

158. The Moonsiffs of Chittagong disposed of 7264 suits in the manner noted in the margin.* The results of the appeals from their decisions are similarly noted.† The Court remark in the statement of appeals from the district, what they have had occasion to notice in other instances, that the comparative number of reversals by the Principal Sudder Ameens far exceeds that by the Judge. In the

* Decided on trial,		5428
Dismissed on default,		1318
Adjusted or withdrawn,		518
		7264
† Pending of 1838,		939
Admitted in 1839,		1261
		2200
Confirmed,	423	
Reversed or modified,	472	
Dismissed on default,	108	
Adjusted or withdrawn,	7	
Pending,	1190	
		2200

case of appeals from the decisions of the Moonsiffs of this district, it will be seen from the marginal statement,‡ that while both the Judges confirmed more decisions than they reversed, the three Principal Sudder Ameens reversed more than they confirmed.

	Confirmed.	Reversed.
† Judge,	26	17
Additional Judge,	71	27
1st P. S. Ameen,	116	134
2d P. S. Ameen,	141	178
3d P. S. Ameen,	69	116

159. The Additional Judge, Mr. Stainforth, before quitting the district, addressed a letter to the Judge, dated the 13th January last, offering his remarks upon the characters of the several Moonsiffs; but as Mr. Stainforth has given his opinion without stating the grounds upon which it was founded, the Court feel themselves precluded from attaching any great weight to it; and they entirely concur in the following remarks of the Judge on the same subject: "Mr. Stainforth, the Additional Judge, on the day of his departure from the station, sent a letter to my address, copy of which I enclose, recording his opinion of the Moonsiffs of this district; but I fear the Court will not be able to gather much from it, as his remarks are not accompanied by a reference to or detail of circumstances, by which it may be possible to judge of the data whence his opinion has been derived; and merely comparing them with the statements, would induce the belief that censure has occasionally been recklessly applied, and no doubt Mr. Stainforth's notes bear him out in the characters he has attached to the officers under him, but the sweeping condemnation he has in some instances bestowed, appears to require further explanation. This omission is the more to be regretted, as the whole of these tribunals were directed by orders of Government, under date the 12th of February 1839, to be placed under the control and superintendance of the Additional Judge; and consequently from the very little time I have been able to bestow on their proceedings, many of the Moonsiffs are entirely unknown to me. I have given a summary of the work done by these officers during the year, taken from the yearly statements, both in original suits and miscellaneous business; and the result strikes me as being favorable to these courts in general; neither do the appeals appear to bear any great disproportion to the decisions."

160. The Court regret that the reports of the local authorities should have been so deficient on a subject of such importance as the official character of the Moonsiffs. A reference to the statement however, shows that the officers named in the margin,* have discharged their duties with credit and efficiency. Of the Moonsiffs of the second class, Mr. Stainforth has selected the four named in the margin,† as the most deserving of promotion; but, as already observed, the Court are at a loss for the grounds of his opinion; and it would appear that one of them, Hurchunder Chatterjeea, has since been suspended by the Judge, pending an inquiry into his conduct, for issuing copies of two decrees given in the same case, and each recording a different opinion.

* Moolvee Buddee Ooddeen, Moonsiff of Bhutteearee.
Moonshee Rudachurn, Moonsiff of Seetakoond.

† 1st. Khyroollah Shah Bulucksharee, Moonsiff of Zorawergunge.
2d. Hurchunder Chatterjeea, Moonsiff of Hathazarree.
3d. Okillochunder Nayaruttun, Moonsiff of Deeang.
4th. Mr. R. Freitas, Moonsiff of 2d Town Division.

161. No suits were under reference to the Collector under Section 30, Regulation II. 1819, at the close of the year. Nineteen (19) suits were decided with the aid of a Punchayet, in the whole of which, the decision of the Judge was passed in accordance with the award of the Punchayet. Twenty-five (25) suits were instituted to set aside summary awards for arrears of rent.

162. The amount or value of the original suits and appeals pending at the close of the year, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judges, ...	0	31156	31156
Ditto P. S. Ameens, ...	399240	151417	550657
Ditto S. Ameen, ...	45504	0	45504
Ditto Moonsiffs,.....	240104	0	240104
Total,.....	684848	182573	867421

The aggregate value of the suits before the Moonsiffs gives 52 Rupees and a fraction to each case.

MISCELLANEOUS CASES.

163. The miscellaneous file of the district of Chittagong on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before the Judge,.....	342	605
Ditto Additional Judge,.....	147	143
„ P. S. Ameens, ...	395	371
„ S. Ameen, ...	237	263
„ Moonsiffs, ...	1404	1728
	2525	3110

being an increase of 585 cases.

* Review of judgment, 6
Applications for admission of special appeals,..... 225
Summary appeals under Sec. 2. Reg. XXVI. 1814. and Act XXII. 1838, 1
Ditto under Reg. VII. 1825,..... 64
Execution of decrees,... 52
Claims to lands advertized for sale in execution of decrees,..... 8

164. The file of the Judge, which has greatly increased since the preceding year, contains the cases of importance noted in the margin.* Immediate attention should be paid to the file of special appeal applications, which is very large, and contrasts very unfavorably with the small number (12) pending at the commencement of the year under review. Of 26 applications for the admission of special appeals disposed of by the Judge, 17 were admitted. This the Court have ascertained by a reference to other statements; but, as noticed in the resolution on the return of the preceding year, the information should invariably appear in the statement of miscellaneous cases. The file of the Additional Judge calls for no remark.

165. The files of the Native Judges are not heavy, with the exception of that of the Sudder Ameen, the majority of the cases before whom, however, are applications for the execution of decrees.

166. The marginal statement* shews the number of appeals from the orders of the Judge of Chittagong preferred direct to the Sudder Court, including one case from the order of the Additional Judge. The result is very favorable. Of two appeals from the orders of the Principal Sudder Ameens, the decision of the lower Court was confirmed in one case, and the other was pending at the close of the year.

* Pending of 1838,.....		17
Preferred in 1839, ...		22
		39
Confirmed, ...	24	
Reversed or modified,.....	1	
Dismissed on default,	3	
Pending,.....	11	
		39

167. The marginal statement* shews the number of applications for the execution of decrees pending at the close of the year 1838, the number preferred in 1839, and the manner in which they were dealt with, together with the years in which the cases pending at the close of the year were instituted. The number of pending cases has considerably increased, since the same period of the preceding year, and the number of cases pending above one year is large. Of the total number disposed of, 1421 cases were fully executed or compromised between the parties.

* Pending of 1838, ...		1850
Admitted in 1839, ...		3899
		5749
Executed in 1839,.....		3676
		2073
Before 1835, ...	9	
In 1835, ...	10	
„ 1836, ...	26	
„ 1837, ...	40	
„ 1838, ...	215	
„ 1839, ...	1773	
Total ...	2073	

GENERAL REMARKS.

168. The statements for this district were forwarded by the Judge with his report of the 14th February last. In some particulars, such as the entry in No. 1, of the names of the Native Judges presiding in the Courts of the Principal Sudder Ameens, and of the number of suits decided respectively by each officer holding the same appointment during the year, and other points, they are defective. The Judge's attention will be called to the Circular Order of the 7th December 1838, on the subject of the preparation of the periodical returns, and he will be informed that conformity to its rules will be expected in future.

169. Though satisfied with the exertions made by the Judge and Additional Judge, the former of whom was engaged no inconsiderable portion of the year in the Sessions Court, the Court regret to observe no improvement in the business of the courts, and no progress made in the reduction of the heavy files. While the number of regular suits and appeals has been reduced by 180, the number of miscellaneous cases has been increased by 585; and the file of long standing cases of execution of decrees has been materially enlarged.

170. On the point last adverted to, (viz. the execution of decrees) a correspondence has passed between the Commissioner of Revenue and the Additional Judge of Chittagong, extracts from which, together with the remarks of the Judge of the district to this Court, are appended to these Resolutions.* The information before the Court at present does not enable them to judge, whether any unnecessary delay occurs in the offices of the Fiscal Authorities in the performance of their part of the duty in giving effect to the decrees of the courts of justice. It is clear however, that the Judge and Additional Judge were of opinion, that such delay does exist. The Court will therefore call upon the Judge of Chittagong to state distinctly the forms and course of procedure adopted by the revenue functionaries, which in his opinion give rise to unnecessary delay; and at the same time to furnish detailed information (including dates of reference) regarding the cases

* See Appendix No. I.

which Mr. Stainforth reports to have been unattended to for years. On receiving the Judge's report, the Court will submit the correspondence on the subject to the Government, in order that the Commissioner of the district may be called upon, through the Sudder Board of Revenue, for a statement of the process adopted by himself and his subordinates, on the receipt of applications from the Judicial Authorities to assist in the execution of their decrees. On the receipt of the necessary information from both departments, the Court will be enabled to judge how far the delay which now exists, is attributable to the proceedings of the Revenue Officers.

Zillah Cuttack.

171. The regular file of the district of Cuttack stood as follows on the 1st January 1839 and the 1st January 1840:

	1839.	1840.
Before the Judge, ...	45	46
Ditto P. S. Ameen, ...	258	181
Ditto S. Ameen, ...	36	53
Ditto Moonsiffs, ...	769	533
	1108	813

being a decrease of 295 suits.

172. The number of original suits and appeals instituted during the years 1839 and 1840, respectively, was as follows:

	1839.	1840.
Before the Judge, ...	398	384
Before Moonsiffs, ...	2472	1872
	2870	2256

being a reduction of 614 suits.

173. The marginal* memorandum exhibits the years in which the suits pending at the close of the year were instituted. The statement is considered satisfactory.

1833, (since decided)	1
1836,	2
1837,	27
1838,	109
1839,	674
	813

Not exceeding	Rs. 300	Rs. 1000	Total.
Before Judge, ...	2	1	3
„ P. S. Ameen, ...	53	36	89
„ S. Ameen, ...	17	0	17
Total, ...	72	37	109

174. The statement in the margin shews the number of suits retained on the files of the higher courts, which, with reference to their value, were triable by the courts of inferior jurisdiction; sufficient reasons are given for their retention. No reason has been given by the Judge in his annual statement for keeping on his own file one suit above 10,000 Rupees.

175. Mr. H. V. Hathorn held the office of Judge of Cuttack during the year 1839, with the exception of a few days at the commencement of the year, during which Mr. W. Edwards was in charge of the current duties of the office. The time of the Judge was disposed of in the manner noted in the margin.*

	Days
* Civil Court,.....	206
Sessions ditto,.....	42
Holidays, &c.....	117
Total,.....	365

176. Mr. Hathorn disposed of 170 suits in the manner indicated in the margin,* among which, the Court are glad to find, are included 119 appeals from the decisions of Moonsiffs. One regular and one special appeal, preferred to the Sudder Dewanny Adawlut from the decisions of Mr. Hathorn, remained undecided at the close of the year.

* Decided on trial, ...	158
Dismissed on default,	10
Adjusted or withdrawn, ...	2
	170

177. The Principal Sudder Ameen, Gholam Russool, disposed of 241 suits in the manner noted in the margin.* The number of appeals from this officer's decisions pending at the close of the year 1838, the number preferred in 1839, and the manner in which the appeals have been disposed of, are shewn in the marginal statement.† The Court are satisfied with the quantity of work performed by the Principal Sudder Ameen; and with reference to the quality of his decisions, Mr. Hathorn has the following observations: "In regard to the quality of this officer's decisions, I am of opinion that they are much improved: indeed, adhering to the principle of a strict supervision over all the lower courts, and by keeping the Native Judges informed of the constructions of the Sudder Dewanny Adawlut upon the most important laws and rules of practice as they are promulgated, and making the errors of one functionary a ground of caution to the rest, I now seldom meet with the gross mistakes and irregular orders which used frequently to come before me when I first assumed charge of the district." One appeal from the decisions of the Principal Sudder Ameen, preferred directly to the Sudder Dewanny Adawlut, was pending at the close of the year.

* Decided on trial.....	177
Dismissed on default....	60
Adjusted or withdrawn,	4
	241

† Pending of 1838, ...	27	
Admitted in 1839, ...	33	
		60
Confirmed, ...	20	
Modified or reversed, ...	28	
Dismissed on default, ...	2	
Adjusted or withdrawn, ...	1	
Pending, ...	14	
		60

178. The office of Sudder Ameen of Balasore was vacant, in consequence of the death of the late incumbent, from the commencement of the year to the 4th of March, when Moolvee Mahomed Farookh, the present Sudder Ameen, joined it. He disposed of 370 suits in his joint capacity of Sudder Ameen and Moonsiff, as marginally shown. The number of appeals from the decisions of the late and present Sudder Ameen should have been given separately in the statement No. 6, but as only three appeals, including those pending at the close of the year 1838, were brought into the Judge's court, the Court do not consider it necessary to return the statement for correction. The Judge will be requested to make the distinction in the annual statements next submitted. The appeals from the decisions of Moolvee Mahomed Farookh, in his capacity of Moonsiff, will be included in the notice of the work done by the Moonsiffs generally.

	Sudder Ameen.	Moonsiff.	Total.
Decided on trial..., ...	35	262	297
Dismissed on default....	4	19	23
Adjusted or withdrawn,	3	47	50
Total.....,	42	328	370

	Sudder Ameen.	Moonsiff.	Total.
Decided on trial,.....	8	116	124
Dismissed on default,...	0	36	36
Adjusted or withdrawn,	2	48	50
Total	10	200	210

179. It having been resolved by Government to station a Sudder Ameen at Pooree, Udditpershad Ghose was appointed to that office, holding at the same time the appointment of Additional Moonsiff of that place. He joined his office on the 28th January, and disposed of 210 suits in the manner noted in the margin. No appeals from his decisions as Sudder Ameen were preferred during the year. The Judge remarks that the paucity of this officer's decisions is to be attributed to the small number of suits on his file.

180. The Moonsiffs of Cuttack disposed of 2126 suits in the manner noted in the margin.* The number of appeals from their decisions and the manner of their disposal are also noted in the margin.† The result is extremely creditable to the whole of the Moonsiffs. The Judge observes that the officers of this grade, who have most distinguished themselves, are:

* Decided on trial,..... 1541
Dismissed on default, 226
Adjusted or withdrawn, ... 359
2126

† Pending of 1838, .. 102
Admitted in 1839, ... 194
296

Confirmed, ... 185
Reversed or modified, ... 57
Dismissed on default, ... 32
Adjusted or withdrawn, ... 1
Pending, ... 71
296

1st. Moolvee Mahomed Farookh, Moonsiff of Balasore;

2d. Tarrakaunth Bidya Sagur, Moonsiff of Balasore;

3d. Gobind Bullub Bhose, Moonsiff of Cuttack, (since deceased;) and

4th. Ubdood Deyan, Additional Moonsiff of Cuttack; and that the Moonsiffs of Kendraparah and Dhumnagur* are entitled to praise for their exertions during the past year, and for the marked improvement in the quality of their decisions.

* Mahomed Arshud. Ahmud Buxsh.

181. Twenty-six suits were under reference to the Collector, under the provisions of Section 30, Reg. II. 1819, at the close of the year. No suit was tried with the aid of assessors. Only one suit was instituted to set aside summary awards for arrears of rent.

182. The amount or value of the property under litigation in the district of Cuttack at the end of 1839, is shewn in the subjoined statement.

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	37088	12013	49101
Ditto P. S. Ameen,.....	322382	4947	327329
Ditto S. Ameen,.....	24478	0	24478
Ditto Moonsiffs,.....	31783	0	31783
Total, ...	415731	16960	432691

183. The Court have only one more remark to make regarding the statement No. 1 of regular cases. They observe, for the Judge's future guidance, that the memorandum B. has not been correctly prepared. The suits transferred to the Collector of Cuttack should have been entered in column 6; and had that been done, the difference between the two columns 4 and 6 would not have been explained, owing evidently to the incorrect preparation of column 6 in the body of the

statement. The Court observe that of the 12 cases entered in column 9, only 9 have been entered in column 6 according to the memorandum B., and they are unable to trace the remaining 3 cases.

MISCELLANEOUS CASES.

184. The miscellaneous file of this district on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before the Judge, ...	269	188
Ditto P. S. Ameen, ...	275	183
Ditto S. Ameen, ...	53	46
Ditto Moonsiffs, ...	1190	942
	1787*a*	1359*a*

a The totals here given are different from those appearing in the report of the Judge, who seems to have fallen into the error of counting the cases in the Sudder Ameen's court twice over.

shewing a reduction of 428 cases. The statements are satisfactory, as they shew that, with very few exceptions, the whole of the cases of long standing are applications for the execution of decrees. The miscellaneous business in the Judge's court had been much reduced, and there were few cases of any importance. The statement of miscellaneous appeals to the Sudder Dewanny Adawlut from the decisions of the Judge of Cuttack, is given in the margin.* One appeal directly made to the Court from the decisions of the Principal Sudder Ameen, was undecided at the close of the year. The Court observe that Mr. Hathorn has omitted to state how the applications for the admission of special appeals disposed of by him, were dealt with.

* Pending of 1838, ... 3
Admitted in 1839, ... 12
15
Confirmed, ... 8
Modified or reversed, ... 1
Dismissed on default, ... 1
Pending, ... 5
15

185. The statement in the margin* shews the number of applications for the enforcement of decrees, together with the years in which they were instituted, and calls for no particular remark.

* Pending of 1838, ... 1345
Admitted in 1839, ... 1334
2679
Disposed of, ... 1551
Pending, ... 1128
Before 1835, ... 35
In 1835, ... 25
" 1836, ... 31
" 1837, ... 76
" 1838, ... 267
" 1839, ... 694
1128

GENERAL REMARKS.

186. The statements for Cuttack were submitted by Mr. Hathorn with his letter of the 5th February last, which is a very clear and creditable report. They evince on the part of Mr. Hathorn great attention to the duties of his own office, and the exercise of a vigilant and judicious supervision over the courts of the subordinate judges.

187. With reference to the quantity of work disposed of in the several civil courts of Cuttack and the state of the files at the close of the year, the following explanation of the Judge was scarcely called for: "I beg to remark, that in estimating the work done by the officers of Cuttack compared with those of other districts, the Court will, I trust, continue to bear in mind the unavoidable check to the despatch of public business occasioned by the sudden introduction

of Oorya into the courts in lieu of Persian, and which must continue to be felt for some time to come. The difficulty is in obtaining qualified Native officers who can read and write the language with facility. In regard to the functionaries it may be observed that they possess but limited means of acquiring a knowledge of the language. Up to the present time a mere introductory Oorya grammar has been published (by the Revd. A. Sutton,) but no dictionary has as yet been compiled."

188. The Court have remarked with great satisfaction the number of appeals from the decisions of the Moonsiffs which the Judge has himself decided; and the very small number of their decrees, comparatively with those given by the Moonsiffs in other districts, which have been reversed. This is to be attributed in a great measure to the practice adopted by Mr. Hathorn of furnishing the Native Judges with translations of the most important laws and rules of practice as they are promulgated, and of making the errors of one functionary, according to his remark, a ground of caution to the rest. In the following remarks of the Judge, the Court entirely concur; and they are satisfied that were the same degree of attention and labor, to promote the efficiency of the Native Judges, more generally bestowed, there would soon be a marked improvement in the character of the subordinate judicial tribunals, especially in that of the Moonsiffs.

"In respect to the general character and qualifications of the Native Judges of Cuttack, I am happy to be able to report favorably. No instance of misconduct or want of integrity has been brought to my notice during the year under review. The best check, I am of opinion, against dishonesty or other irregularity in the performance of their duties is strict supervision and control on the part of the European functionary; but which duty must be exercised of course with a careful discrimination, so as to punish with severity all well proved instances of violation of trust, and at the same time to uphold the dignity of the Native functionaries against all unfounded and malicious charges of a serious nature.

"In like manner with regard to their industry, they require unremitting supervision, so as immediately to detect all instances of slothfulness or neglect of duty before the office falls into disorder and confusion, and to bring to notice for promotion all those who labor with zeal and industry.

"In respect to the quality of their decisions, much benefit has resulted, as before observed, from the practice of promulgating the constructions of the Sudder Dewanny Adawlut upon all dubious points of law, and making the errors of one functionary a future rule of guidance for all: this is carried to a great extent in this office, and I am satisfied that it is attended with the most beneficial results.

"Upon the whole I am of opinion that the Native Judges of this district have acquitted themselves during the past year in a satisfactory manner, and trust that the state of civil administration generally throughout the district may be deemed such as to continue to merit the Court's approbation."

Zillah Dacca.

189. The regular file of the district of Dacca on the 1st January 1839 and the 1st January 1840, stood as follows:

	1839.	1840.
Before Judge,.....	165	223
„ P. S. Ameens, ...	345	238
„ S. Ameen, ...	99	56
„ Moonsiffs, ...	1187	1208
	1796	1725

being a reduction of 71 suits.

190. The number of original suits and appeals instituted during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judge,.....	743	651
„ Moonsiffs, ...	3199	2727
	3942	3378

being a decrease of 564 suits.

191. The statement in the margin* shews the years in which the pending suits were instituted. The reasons given for the delay in some of the cases pending in the courts of the Native Judges are not altogether satisfactory. There has been a marked improvement in the lower courts in regard to the disposal of arrears during the years 1838 and 1839, and the Court trust that the attention of the Judge will be still directed to this important point.

* 1834, ... 3
1835, ... 12
1836, ... 10
1837, ... 38
1838, ... 185
1839, ... 1477
1725

192. The marginal statement shews the number of suits retained on the files of the higher courts, which, with reference to their amount, were triable by the courts of inferior jurisdiction. The Court observe that the three suits on the Judge's file have been referred to other courts. The reasons given for the retention of the suits on the files of the Principal Sudder Ameens and Sudder Ameen are sufficient. There were two cases above 5000 Rs. retained by the Judge on his own file, the reasons for the retention of which have not been stated; though it is to be presumed, with reference to the memorandum A. of statement No. I, that one of them is under reference to the Collector under Section 30, Regulation II. 1819. The Judge should refer the cases to the Principal Sudder Ameen unless there are special reasons for keeping them on his own file.

Not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge,.....	1	1	1	3
„ P. S. Ameens,	13	20	0	33
„ S. Ameen,...	18	0	0	18
Total,.....	32	21	1	54

Days.	
* Civil court, ...	60
Sessions and civil duties, ...	167
Sundays and Holidays,	111
	358
† Decided on trial,.....	78
Dismissed on default,...	14
Adjusted or withdrawn,	3
	95

193. Mr. Cooke was Judge of Dacca during the year 1839. His time was disposed of as noted in the margin,* leaving seven days unaccounted for. Mr. Cooke disposed of 95 suits in the manner noted in the margin.† One regular appeal preferred to the Sudder Court from his decisions, was pending at the close of the year. Of 10 special appeals one was sent back to the Zillah court for further investigation; and the remaining nine had not been taken up by the Superior Court.

* Decided on trial,.....	189
Dismissed on default,...	82
Adjusted or withdrawn,	6
	271
† Pending of 1838,.....	37
Admitted in 1839, ...	31
Total...	68
Confirmed.....	14
Modified or reversed,	7
Dismissed on default,	4
Adjusted, ...	1
Pending,.....	42
	68

194. Mr. James Reily was First Principal Sudder Ameen of Dacca, during the year 1839. He disposed of 271 cases in the manner noted in the margin.* The number of appeals from Mr. Reily's decisions pending at the close of 1838, the number preferred in 1839, and the manner of their disposal, are similarly noted.† With reference to the number of cases decided by the Principal Sudder Ameen during the year, the result is considered to be very creditable to him. Eight appeals from Mr. Reily's decisions were preferred to the Sudder Dewanny Adawlut: one was adjusted, and the rest were pending on the Court's file at the close of the year.

* Decided on trial,.....	75
Dismissed on default,...	26
Adjusted or withdrawn,	3
	104
† Pending of 1838,.....	30
Admitted in 1839, ...	33
Total	63
Confirmed, ...	2
Modified or reversed, ...	16
Dismissed on default,.....	2
Pending, ...	43
	63

195. The Additional Principal Sudder Ameen, Rammohun Roy, disposed of 104 suits in the manner noted in the margin.* The number of appeals from his decisions, and the manner of their disposal, are similarly noted.† The comparative number of decisions reversed is large, and as they were chiefly special appeals, it is to be apprehended that the Additional Principal Sudder Ameen is not sufficiently careful in deciding upon the correctness or otherwise of the decrees of the courts of original jurisdiction. The small number of cases decided by this officer is to be attributed to the paucity of suits on his file. Two appeals from the decisions of Rammohun Roy, preferred directly to the Sudder Court, had not been taken up at the close of the year.

* Decided on trial,.....	143
Dismissed on default,...	35
Adjusted or withdrawn,	10
	188
† Pending of 1838,.....	22
Admitted in 1839, ...	28
Total	50
Confirmed, ...	5
Modified or reversed, ...	5
Adjusted or withdrawn, ...	3
Pending, ...	37
	50

196. Syud Abbas Ally, the Principal Sudder Ameen stationed at Furreedpore, disposed of 188 suits in the manner noted in the margin.* The number of appeals from his decisions pending at the close of 1838, the number preferred in 1839, and their results, are also noted.† The number of appeal cases taken up by the Judge is small; but the statements of work done by the Principal Sudder Ameen, and of the appeals from his decisions, are considered satisfactory, and creditable to that officer. There were no appeals preferred direct to the Sudder Court from the decrees of Syud Abbas Ally.

* Decided on trial,.....	81
Dismissed on default,...	13
Adjusted or withdrawn,	10
	104

197. The Sudder Ameen, Moolvee Looſf Hossein, took charge of his office on the 8th January 1839, in succession to the late Sudder Ameen Muneerooddeen, who had been previously promoted to the situation of Principal Sudder Ameen of Chittagong. He disposed of 104 suits in the manner noted in the margin.* He also disposed of 297 cases in his capacity of Moonsiff of Dacca. The number of

appeals from the Moolvee's decisions as Sudder Ameen, and the manner in which they were dealt with, are also noted in the margin.† The quantity of work done by this officer is satisfactory; but the very small number of appeals from his decisions which were taken up, puts it out of the power of the Court to offer any opinion as to its quality.

† Admitted, ... 34
Confirmed, ... 3
Modified or reversed, ... 3
Pending, ... 28
34

198. The Moonsiffs of the district of Dacca disposed of 2747 cases in the manner indicated in the margin.* Of the cases decided on trial, 684 were defended in the Moonsiffs' courts. The number of appeals pending from the decisions of the Moonsiffs at the close of 1838, the number preferred in 1839, and the manner in which they have been dealt with, are also stated.† Though the aggregate number of cases confirmed and neglected by the parties, is considerably in excess of the number reversed or modified, the Court cannot consider the results to be by any means satisfactory. Mr. Cooke states that the three most deserving Moonsiffs of his district are—

* Decided on trial, ... 1469
Dismissed on default, 592
Adjusted or withdrawn, ... 686
2747

† Pending of 1838,..... 240
Admitted in 1839,..... 352
Total..... 592

Confirmed, ... 125
Modified or reversed, ... 135
Dismissed on default,..... 129
Adjusted or withdrawn, ... 6
Pending, ... 197
592

1st. Sheebchunder Mookerjea, Moonsiff of Furreedpore;
2d. Mr. Bird, Moonsiff of Naraingunge;
3d. Mahomed Amah, Moonsiff of Talma.

199. One suit was under reference to the Collector under the provisions of Section 30, Regulation II. 1819, at the close of the year. No suits were tried with the assistance of assessors; 46 suits were instituted to set aside summary awards for arrears of rent.

200. The total amount or value of the property under litigation on the 1st January 1840, in original and appeal cases, was 6,08,411 Rupees, as shown in the following statement.

	Original Suits.	*Appeals.*	*Total.*
Before Judge,.....	36850	138904	175754
Ditto P. S. Ameens, ...	336862	9633	346495
Ditto S. Ameen, ...	21936	0	21936
Ditto Moonsiffs,.....	64226	0	64226
Total,.....	459874	148537	608411

MISCELLANEOUS CASES.

201. The miscellaneous file of the district of Dacca, on the 1st January 1839 and the 1st January 1840, was as follows:—

	1839.	1840.
Before Judge, ...	485	587
Ditto P. S. Ameens, *.....	291	347
Ditto S. Ameen, ...	46	61
Ditto Moonsiffs, ...	619	484
	1441	1479

shewing an increase of 38 cases. While there has been an increase on the files of the Judge, Principal Sudder Ameen, and Sudder Ameen, there has been a considerable reduction on those of the Moonsiffs, whose files are very light, and the cases of old standing, consisting entirely of applications for the execution of decrees, very few. The Judge's file is made to appear very heavy by the numerous applications (222) preliminary to the foreclosure of mortgages under Section 8, Regulation XVII. 1806.

* Applications for review of judgment,	3
Ditto special appeals,	63
Ditto summary appeals, under Reg. XXVI. of 1814, and Act XXII. 1838,	8
Ditto under Regulation VII. 1825,	49
Execution of decrees,	30

† Admitted, 23
Rejected, 39
Struck off, 1
63

202. The cases of most importance on the file of the Judge requiring immediate attention, are noted in the margin.* Mr. Cooke disposed of 63 applications for the admission of special appeals in the manner shown in the margin.†

203. Of the Principal Sudder Ameens, the file of the Additional Principal Sudder Ameen of Dacca alone calls for remark. The Court observe that there are a considerable number of cases, other than applications for the execution of decrees, on his file which have been pending for more than a year, the delay in regard to which has not been explained.

* Judge.

Pending of 1838,		20
Admitted in 1839,		64
		84
Confirmed,	38	
Modified or reversed,	14	
Dismissed on default,	5	
Pending,	27	
		84

Principal Sudder Ameens.

Admitted in 1839,		3
Reversed,	1	
Dismissed on default,	1	
Pending,	1	
		3

204. The marginal statement* shews the number of appeals from the orders of the Judge and Principal Sudder Ameens of Dacca to the Court of Sudder Dewanny Adawlut, and the manner of their disposal.

* Pending of 1838,	630
Admitted in 1839,	1293
	2123
Disposed of,	1435
	688

Before 1835,	11
In 1835,	20
1836,	22
1837,	39
1838,	94
1839,	502
	688

205. The statements entered in the margin* shew the number of applications for the execution of decrees pending in the district of Dacca, and the years in which those applications were made; 423 cases were completely executed or compromised between the parties; and no less than 814 were struck off the file, in consequence of the decree-holders neglecting their cases after having made the first application for execution.

GENERAL REMARKS.

206. The statements for the district of Dacca, which have been carefully prepared, were submitted with the Judge's letter of the 21st February last, and, in regard to the quantity of business before the several courts, shew that some improvement has taken place. The Judge's regular life is comparatively heavier

than any other, and will require his unremitting attention. This is to be attributed to a very large proportion of his time being occupied in the discharge of the duties of the sessions court. The regular and miscellaneous files of the subordinate courts are by no means burdened.

207. On the occasion of recording their resolutions on the report and statements for the year 1838, the Court expressed their desire that Mr. Cooke would favor them with his opinion of the general character and official qualifications of his subordinates; and they endeavoured to urge this point upon him as an important part of his duty. The Court regret to observe that Mr. Cooke's present report is even more barren and meagre in this respect than that on which they previously found it necessary to animadvert. They remark that Mr. Cooke's inattention to their instructions involves an act of unfairness to deserving officers under his control; and they must again request him to furnish them with more full and precise information on the subject in his future reports. Continued indifference on the part of Mr. Cooke to the repeated instructions of the Court, will render it necessary for them to take more serious notice of his carelessness and inattention.

208. The Court are perfectly satisfied with the work done by Mr. Cooke during the year under review, considering that the time he was able to sit in the civil court was less than three months. The appeals from the decisions of the Principal Sudder Ameen, which are triable only by the Judge, are numerous, and should be sedulously attended to. The Court regret that Mr. Cooke was unable to decide more of the appeals from the decisions of the Sudder Ameen and Moonsiffs.

209. A separate reply will be made to Mr. Cooke on the subjects adverted to in the 18th and four following paragraphs of his letter.

Zillah Dinagepore.

210. The regular file of the district of Dinagepore on the 1st January 1839 and the 1st January 1840, was as follows:—

	1839.	1840.
Before Judge, ...	52	110
Ditto P. S. Ameen, ...	76	89
Ditto S. Ameen, ...	13	12
Ditto Moonsiffs, ...	1313	1542
	1454	1753

showing an increase of 299 suits, chiefly on the files of the Judge and Moonsiffs. Of the suits on the Judge's file 85 were appeals from the decisions of the Moonsiffs. With reference to the increase on the files of the Moonsiffs, the officer in charge of the Judge's office, observes:

"There appears to be an increase of 528 in the number of suits instituted before the Moonsiffs this year, compared with that of the preceding one, which is

owing probably to the failure in the crops of the present season." By this remark, the Court presume, it is intended that the inability on the part of the people to meet demands against them, owing to the failure of their resources, led to the more frequent application to the courts of law.

211. The number of original suits and appeals filed during the years 1838 and 1839, respectively, was as follows:—

	1838.	1839.
Before the Judge, ...	416	526
Ditto Moonsiffs, ...	5275	5803
	5691	6329

being an increase of 638 suits.

212. The years in which the original suits and appeals were instituted, are noted in the margin.* Though the file of old suits is not large, the reasons given in several of the cases for the delay in deciding them are not altogether satisfactory. This remark applies particularly to the file of the Principal Sudder Ameen.

* 1837, ... 3
1838, ... 13
1839, ... 1737
1753

Not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge,.....	0	0	5	5
Ditto P. S. Ameen,	12	0	0	12
Ditto S. Ameen,...	4	0	0	4
Total,.....	16	0	5	21

213. The marginal memorandum shews the number of cases retained on the files of the higher courts, which, with reference to the value of the property in dispute, were referrible to the courts of inferior jurisdiction. The reasons given for their retention are sufficient.

214. The Honorable R. Forbes held the office of Judge of Dinagepore at the beginning of the year, but delivered over charge of the office on the 16th January to Mr. C. Mackay, Sudder Ameen, who conducted the current duties until the 4th May. Mr. J. Grant officiated as Judge of the district from that date to the end of the year.

215. Messrs. Forbes and Grant devoted 180 days to the disposal of civil and criminal business, viz.

	Civil Court.	*Sessions Court.*
Mr. Forbes, ...	8	4
Mr. Grant, ...	89	79

There was no Judge in the district for 89 days, and 96 days were occupied by Sundays and holidays.

216. One hundred and eighty cases were disposed of in the Judge's court in the manner noted in the margin.* Of these five were decided by the Honorable R. Forbes, and the rest by Mr. Grant. No appeals, either regular or special, from the decisions of Mr. Grant, were admitted by the Sudder Dewanny Adawlut. There were, however, four appeals, three regular and one special, preferred from the

* Decided on trial..... 155
Dismissed on default,... 28
Adjusted or withdrawn, 2
180

decisions of Mr. Forbes, passed in the preceding year. One of these was adjusted; the other three cases were pending on the file of the Sudder Court at the close of the year.

217. The Principal Sudder Ameen, Mr. A. Jackson, disposed of 234 suits in the manner noted in the margin.* The number of appeals from Mr. Jackson's decisions pending at the close of 1838, the number preferred in 1839, and the manner of their disposal, are similarly noted.† With reference to the number of cases modified or reversed, in comparison with those in which the decisions were confirmed, the statement cannot be pronounced satisfactory.

* Decided on trial, ...	197	
Dismissed on default,...	30	
Adjusted or withdrawn,	7	
		234
† Pending of 1838,.....	19	
Admitted in 1839,.....	42	
		61
Confirmed, ...	12	
Modified or reversed, ...	29	
Dismissed on default,.....	5	
Pending, ...	15	
		61

218. Mr. C. Mackay holds the appointment of Sudder Ameen of Dinagepore and Moonsiff of Rajarampore. In his joint capacities he disposed of 526 suits in the manner noted in the margin.* A statement of appeals from Mr. Mackay's decisions is also given.† The Court observe that one of the three cases of appeals from Mr. Mackay's decisions was transferred to the Collector for revision as connected with proceedings before that officer, leaving only two appeals undecided at the close of the year. With reference to the quantity of business despatched by Mr. Mackay, the Court consider the statements to be satisfactory and creditable to that officer.

	Decided on trial.	Dismissed on default.	Adjusted.	Total.
* Sudder Ameen,	39	6	8	53
Moonsiff,.....	321	29	123	473
Total,.....	360	35	131	526

	Sudder Ameen.	Moonsiff.	Total.
† Pending of 1838, ...	3	15	18
Admitted in 1839, ...	8	43	51
Total,.....	11	58	69
Confirmed, ...	4	16	20
Modified or reversed,	3	18	21
Dismissed on default,	0	7	7
Adjusted or withdrawn,.....	1	1	2
Pending, ...	3	16	19
Total,.....	11	58	69

219. The Moonsiffs of Dinagepore, including the Moonsiff of Rajarampore, disposed of 5620 suits, in the manner noted in the margin.* The number of appeals from the decisions of the Moonsiffs pending at the close of the year 1838, the number admitted in 1839, and the manner in which they were dealt with, are also noted.† The Court consider the work done by the Moonsiffs, as exhibited in the statements before them, to be satisfactory, except in the instance of Radhanath Sircar, Moonsiff of Gourgureeba, Kaly Doss Bonnerjea, Moonsiff of Chintanund, and Ramkishore Nundy, Moonsiff of Buddulgachee, the number of whose decisions reversed, in comparison with the number confirmed, is large.

* Decided on trial, ...	3340	
Dismissed on default,	719	
Adjusted or withdrawn,	1561	
		5620
† Pending of 1838,	83	
Admitted in 1839,	341	
		424
Confirmed, ...	109	
Modified or reversed, ...	127	
Dismissed on default,.....	46	
Adjusted or withdrawn, ...	5	
Pending, ...	137	
		424

220. One suit was under reference to the Collector at the end of the year, under the provisions of Section 30, Regulation II. 1819, and one suit was decided with the aid of a Punchayet, in which the award of the Punchayet was in accord-

ance with the opinion of the Judge. Sixteen (16) suits were instituted to contest summary awards for arrears of rent.

221. The total amount or value of the property in litigation on the 1st January 1840, in this district, was as follows:—

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	22838	25604	48442
Ditto P. S. Ameen, ...	51220	2932	54152
Ditto S. Ameen,.....	4609	0	4609
Ditto Moonsiffs,.....	50303	0	50303
Total, ...	128970	28536	157506

MISCELLANEOUS CASES.

222. The miscellaneous file of this district on the 1st January 1839 and the 1st January 1840, respectively, was as follows:—

	1839.	1840.
Before Judge, ...	57	116
Ditto P. S. Ameen, ...	37	43
Ditto S. Ameen,.....	16	12
Ditto Moonsiffs, ...	354	343
	464	514

shewing an increase of 50 cases. The cases of importance pending on the Judge's file at the close of the year, are noted in the margin.* The files are generally light, and call for no particular remark, except in the instance of the Judge's court, whose file has been more than doubled since the corresponding period of the preceding year. This may be accounted for by the circumstance of the Judge having been absent a considerable portion of the year. Mr. Grant's attention, however, should be at once directed to the miscellaneous file. No memorandum has been given of the manner in which the applications for the admission of special appeals were disposed of. This information was the more necessary as the statement of appeals shews that 27 special appeals were *admitted* during the year, whereas the statement of miscellaneous cases shews that only 23 applications for the admission of such appeals had been taken up. The Judge will be requested to explain this strange discrepancy.*

Applications for review of judgment,	7
Ditto for admission of special appeals, ...	19
Summary appeals under Reg. XXVI. 1814, & Act XXII. of 1838.....	6
Special ditto under Regulation VII. of 1825.....	1
Execution of decrees,...	4
	37

223. The statement of miscellaneous appeals to the Sudder Dewanny Adawlut from the orders of the Judge, is given in the margin.* There were no appeals made directly to the Sudder Court from the orders of the Principal Sudder Ameen.

Pending of 1838,.....	2
Admitted in 1839, ...	15
	17
Confirmed, ...	7
Modified or reversed.....	4
Pending, ...	6
	17

* The Judge has explained that the discrepancy was occasioned by a number of special appeals having been admitted in 1838, but brought to account in the following year.

224. The marginal statements* shew the number of applications for the execution of decrees, and the years in which the cases pending at the close of the year were instituted: 1022 cases were either completely executed or compromised between the parties. The statements are satisfactory.

* Pending of 1838, ... 400
Admitted in 1839,.... 1906
2306
Disposed of, ... 1920
386
In 1837,..... 4
„ 1838,..... 10
„ 1839,..... 372
386

GENERAL REMARKS.

225. The statements for the district of Dinagepore were submitted by Mr. Halkett, in charge of the Judge's office, with his letter of the 6th February last, the Judge, Mr. J. Grant, having been absent on leave. Though there was an increase of business pending in the civil courts of the district, both in the regular and miscellaneous departments as compared with the corresponding period of the preceding year, (which is chiefly attributable to the circumstance of many more cases having been instituted, as has been already observed,) the files are generally light, and the administration of justice in Dinagepore, as far as can be gathered from the figured statements, appears to be prompt and efficient.

226. The Court, however, cannot but regret having to notice, for the third time, the absence of all information in regard to the official character and qualifications of the several judicial functionaries subordinate to the Judge, and which necessarily precludes them from coming to any decisive conclusion in regard to this very important point. This information ought to have been furnished by Mr. Grant to the officer left in charge of the current duties of his court, in order to enable him to furnish the prescribed report to the Court. Mr. Grant will now be requested to supply the omission, by laying before the Court his opinion of the several judicial officers subordinate to him, with as little delay as practicable.*

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* With reference to the above, Mr. J. Grant, the Officiating Judge of Dinagepore, submitted the following report on the official character and proceedings of the Native Judges of that district, under date the 16th June.

2. "Mr. Jackson, the Principal Sudder Ameen, I can say nothing in favor of. His decisions were reversed in 23 special appeals, while during the same period only 11 were confirmed. In very many cases he was called upon to account for irregularities, and seldom if ever furnished satisfactory explanations; and his final roobukarrees frequently evince ignorance or neglect of law without even an attempt at plausibility. Under such circumstances, a large show of work, so far as quantity goes, is not to be wondered at.

3. "Mr. Mackay, the Sudder Ameen, who is also Moonsiff of Rajarampore, is active and zealous; but his decisions occasionally show that he makes up his mind in a case before he has got completely to the bottom of it, particularly when it happens to be a trifling one as to amount. Mr. Mackay has the next thing to nothing to do as Sudder Ameen, and is probably somewhat tired of the drudgery of a Moonsiff's office which (as he receives no extra pay on account of it) I presume he undertook in the hope of early promotion being his reward. I consider him fully entitled to promotion; and I have no doubt that, as a Principal Sudder Ameen, he would distinguish himself more even than he has done as a Moonsiff, for he would then see the necessity (in appeal cases) of having the investigation of each point as perfect as possible, to prevent the evils and delay of cases being returned for re-investigation.

4. "With reference to the number of cases on their file, there is no great difference as to the number disposed of by the Moonsiffs of Chintamun, Beergunge, Kalligunge, Puteeram, Bud-

227. The Court are perfectly satisfied with the manner in which Mr. Grant has discharged the duties of his own court.

Zillah Hooghly.

228. The regular file of the district of Hooghly on the 1st January 1839 and the 1st January 1840, was as follows:—

	1839.	1840.
Before the Judge, ...	169	210
Ditto Principal Sudder Ameen,.....	306	217
Ditto Sudder Ameen, ...	161	182
Ditto Moonsiffs, ...	1407	1427
	2043	2036

shewing a reduction of 7 suits.

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dulgachee, Putneetulla, Ungrezabad, Gourgureeba, and Shibgunge; nor in the quality of their decisions, judging from the number of appeals, and their proceedings which have come before me.

5. "The Moonsiff of Kalligunge behaved disrespectfully and obstinately regarding instructions he had received as to the future boundary between his and the neighbouring Moonsiffship, which ultimately led (in 1840) to his being suspended for fourteen days, as reported in a separate letter.

6. "The Moonsiff of Beergunge is apt to decree cases on very slender evidence, while he of Buddulgachee, dismisses on very slight grounds without giving an opportunity of amending any flaw that he may detect. I had occasion to find fault with the latter Moonsiff for having detained a civil prisoner at his cutcherry for thirteen days, and his explanation was not satisfactory. The plaintiff in the case is one of the richest zemindars in the district, and the prisoner a poor ryot who had more than once succeeded in defending himself in court against his powerful antagonist. The result of the detention was that documents were produced on the plaintiff's side, purporting that every thing had been settled *amicably*, while the prisoner, immediately on being released, came and said that he had been forced to sign them."

7. The Court observe that the charges advanced by Mr. Grant against the Principal Sudder Ameen, Mr. Jackson, are of a serious nature. He will be requested to submit a detailed report of the proceedings in the several cases alluded to by him, in which Mr. Jackson was called upon to explain irregularities, and at the same time transmit, for the Court's perusal, copies of the proceedings which are stated to evince "ignorance or neglect of law without even an attempt at plausibility," on the part of the Principal Sudder Ameen.

8. The report alluded to regarding the suspension of the Moonsiff of Kalligunge has not been received. The Judge will be requested to forward it.

9. The Court are of opinion that the case alluded to as having occurred in the court of the Moonsiff of Buddulgachee should be specially reported. The Judge will be instructed accordingly.

10. The Court will await the receipt of the Judge's report for the current year, before recording any opinion generally in regard to the Moonsiffs with reference to Mr. Grant's communication now under consideration. They trust that further experience in the district of Dinagepore, will enable the Judge to speak with more certainty regarding the character and proceedings of those functionaries.

229. The number of original suits and appeals instituted during the years 1838 and 1839, respectively, was as follows:—

	1838.	1839.
Before Judge, ...	706	613
Ditto Moonsiffs, ...	3539	3556
	4245	4169

being a decrease of 76 suits.

230. The years in which the original suits and appeals pending on the 1st January 1840, were instituted, are noted in the margin.* The explanations given in regard to the cases of old standing are sufficient.

* 1831, ...	1
1834, ...	1
1835, ...	1
1836, ...	2
1837, ...	9
1838, ...	118
1839, ...	1904
	2036

231. The marginal memorandum shews the number of suits retained on the files of the higher courts, which, with reference to their amount, were triable by the courts of inferior jurisdiction. The four cases on the Judge's file have been since transferred to other courts. The reasons for the retention of the other cases on their respective files are sufficient. The Judge has retained on his own file, for special satisfactory reasons, four suits above the value of 5000 rupees.

Not exceeding	Rs. 300	Rs. 1000	Total.
Before Judge,.....	4	0	4
Ditto P. S. Ameen, ...	12	2	14
Ditto S. Ameen, ...	116	0	116
Total, ...	132	2	134

232. Mr. Curtis, late Judge of Hooghly, made over charge of the office to Mr. Ward on the 19th January 1839. Mr. Ward conducted the current duties to the 5th February, when he was relieved by the permanent Judge, Mr. R. Barlow, who held the appointment for the rest of the year. The marginal statement* shews how the Judge's time was employed.

	Days.
* Civil court, ...	148
Sessions ditto, ...	76
Sundays and Holidays,	119
Judge absent on leave and from indisposition, ...	22
Total,...	365

233. Mr. Barlow disposed of 144 suits in the manner noted in the margin,* of which the Court are happy to observe 86 were appeals from the decisions of the Moonsiffs. No appeals, either regular or special, from Mr. Barlow's decisions as Judge of Hooghly, were admitted by the Sudder Court during the year 1839.

* Decided on trial. ...	114
Dismissed on default,	20
Adjusted or withdrawn,	10
	144

234. The Principal Sudder Ameen, Syud Ahmud Khan, disposed of 322 suits in the manner indicated in the margin.* The number of appeals from this officer's decisions pending at the end of 1838, the number preferred to the Zillah Judge during 1839, and the manner of their disposal, are also noted.† One appeal from the decisions of this officer was preferred directly to the Sudder Court, and was pending at the close of the year. The opinion of the Judge in regard to the official character and qualifications of the Principal Sudder Ameen and the other Native Judges will be considered at the close of the resolution on the statements of this district.

* Decided on trial, ...	253
Dismissed on default,	47
Adjusted or withdrawn,	22
	322

† Pending of 1838, ...		48
Admitted in 1839, ...		30
		78
Confirmed, ...	11	
Modified or reversed, ...	16	
Dismissed on default, ...	2	
Adjusted, ...	6	
Pending, ...	43	
		78

	Sudder Ameen.	Moonsiff.	Total.
* Decided on trial, ...	98	215	313
Dismissed on default,...	43	65	108
Adjusted, &c.,.....	22	58	80
Total,.....	163	338	501
† Pending of 1838,.....	0	1	1
Admitted in 1839, ...	27	14	41
Total,.....	27	15	42
Confirmed, ...	1	1	2
Modified or reversed,...	3	1	4
Dismissed on default,...	1	0	1
Pending, ...	22	13	35
Total,.....	27	15	42

235. The Sudder Ameen, Roy Hurrochunder Ghose, also holds the appointment of Moonsiff of Hooghly. In his joint capacities he disposed of 501 suits as noted in the margin.* The appeals from his decisions and the manner of their disposal are similarly noted.† The number of appeals, with reference to the number of decisions, is very small and much to the credit of this officer.

* Decided on trial,		1928
Dismissed on default,		633
Adjusted or withdrawn,		1022
		3583
† Pending of 1838, ..		272
Admitted in 1839, ...		274
		546
Confirmed, ...	155	
Modified or reversed, ...	81	
Dismissed on default, ...	42	
Adjusted or withdrawn, ...	13	
Pending, ...	255	
	546	

236. The Moonsiffs of Hooghly, including Hurrochunder Ghose, disposed of 3583 suits in the manner noted in the margin.* The number of appeals pending, from their decisions at the close of 1838, the number preferred in 1839, and the manner in which they were dealt with, are shewn in the margin.† The Court reserve their opinion on this statement until they come to consider the Judge's remarks on the character of the Moonsiffs generally.

237. Ten suits were under reference to the Collector at the close of the year 1839, under the provisions of Section 30, Regulation II. 1819. No suits were tried with the assistance of assessors, agreeably to Regulation VI. 1832. One hundred and thirteen (113) suits were instituted to set aside summary awards for arrears of rent.

238. The amount or value of the original suits and appeals pending on the 1st January 1840, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	68787	77475	146252
Ditto P. S. Ameen,.....	340746	7774	348520
Ditto S. Ameen,.....	45516	0	45516
Ditto Moonsiffs,.....	76650	0	76650
Total, ...	531699	85249	616948

MISCELLANEOUS FILE.

239. The miscellaneous file of the district of Hooghly on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge,.....	625	621
Ditto P. S. Ameen, ...	483	284
Ditto S. Ameen, ...	211	117
Ditto Moonsiffs, ...	1103	647
	2422	1669

shewing a reduction of 753 cases, entirely on the files of the Native Judges, and, among them, chiefly on the files of the Moonsiffs.

240. The most important cases on the file of the Judge are shewn in the following statement, which also exhibits the number which have been pending upwards of a year.

	Pending.	*Pending upwards of a year.*
Applications for review of judgment, ...	6	3
Ditto for admission of special appeals,.....	37	23
Summary appeals under Reg. XXVI. 1814, and Act XXII. 1838, ...	7	2
Summary appeals under Reg. VII. 1825,.....	96	48
Claims to property advertised for sale in execution of decrees, ...	21	17

Though a number of the cases of old standing have been decided since the close of the year, the operations of which are now under review, the Court cannot consider the statement to be by any means satisfactory. They do not intend by this remark to impute any blame to Mr. Barlow, who, as shown by the statements before them, has exerted himself to reduce the heavy file of miscellaneous cases. The Court, however, consider that cases of the nature of those, some of which have been so long pending, should occupy the attention of the Judge as soon as practicable, after they have been brought into his court. Any great delay in the disposal of such cases will inevitably lead to increased and protracted litigation.

241. Of 55 applications for the admission of special appeals, disposed of by the Judge, 15 were admitted and 40 rejected. "By far the greater part of these," observes Mr. Barlow, "were rejected under the Court's Construction, No. 246, which requires all the facts of the case to be assumed as stated in the decree." The law of special appeal the Court propose to consider, as already remarked in the resolutions on the statements for East Burdwan, before closing this report.

242. On the file of the Principal Sudder Ameen 98 cases are shewn to have been pending upwards of a year, but they are for the most part applications for the execution of decrees. The files of the Sudder Ameen and Moonsiffs call for no particular observation.

* Pending of 1838.....	13	
Admitted in 1839, ...	45	
		58
Confirmed, ...	25	
Modified or reversed, ...	11	
Dismissed on default,.....	2	
Pending, ...*...	20	
		58

243. The marginal statement* shews the number of appeals from the decisions of the Judge of Hooghly, in miscellaneous cases, which were preferred to the Sudder Dewanny Adawlut.

* Pending of 1838, ...	1284	
Admitted in 1839, ...	1331	
		2615
Disposed of in 1839,	1809	
		806
Before 1835, ...	13	
In 1835,.....	15	
„ 1836,.....	24	
„ 1837,.....	34	
„ 1838,.....	120	
„ 1839,.....	600	
		806

244. The marginal statements* shew the number of applications for the execution of decrees, and the years in which the pending cases were instituted—987 were completely executed or compromised between the parties. The statements exhibit a great improvement in this branch of the duties of the civil courts, as compared with the year preceding.

GENERAL REMARKS.

245. The statements for the district of Hooghly were submitted by Mr. Barlow, with his letter of the 9th March. They have been very carefully prepared, and, together with Mr. Barlow's minute and complete report of the proceedings of the several courts of his district, satisfy the Court that every endeavour has been made by the Judge to render the administration of civil justice within his jurisdiction as efficient as possible.

246. In reporting on the official character and proceedings of the Native Judges, Mr. Barlow has the following remarks:

"I have no reason to be dissatisfied with the quantity of work which has been done, but I do not hesitate to say that much more would have been disposed of had attention been paid by the subordinates to the Court's instructions. Much of my time has been engaged in pointing out irregularities in their proceedings. Many of them were altogether ignorant of rules with which they should have been fully acquainted; and I have frequently had the task of going through voluminous proceedings, which I have been obliged to return to them as incomplete in point of inquiry and not conducted in conformity with the Court's orders. In some instances, though these orders have been duly explained and brought to the notice of the Native Judges, they have disregarded them, thereby putting the parties to the expence of appeals, and also occupying the time of the courts in a way which has caused great delay in the final settlement of litigated cases. With the excep-

tion of the Sudder Ameen, Hurrochunder Ghose, who is also Moonsiff of Hooghly, I cannot name one of the subordinates as evincing a wish to acquire information on points connected with duty.

" In exemplification of this, I beg to submit two Roobacarees from the Principal Sudder Ameen, Syud Ahmud Khan, in which the Court's orders, regarding the receipt of claims in execution of decrees and those referring to rateable payment, and Constructions 935 and 1056, have been altogether disregarded though brought to his notice. I have further to remark on the incompleteness of his enquiries, and on the great want of care in the manner in which he conducts investigations of claims preferred under Clause 6, Section 3, Regulation VII. of 1825. His object seems to have been to get rid of the claims, without at all entering into their merits; so much so, that the same proceedings would almost apply (the names of the parties being changed) in very many cases. The observations I have already made in paragraph 15* regarding the petitions of special appeal, refer particularly to the decisions of this officer. Under the exposition of the law, I have on several occasions been obliged to reject petitions in which rights of litigants had clearly been overlooked, and which, had they been admissible, would have enabled the court in appeal to correct erroneous and unjust judgments. It is necessary that I should enter into this explanation, as the fact of 40 petitions of appeal against the Principal Sudder Ameen's decisions having been rejected, would apparently lead to the conclusion that his judgments are good, and that any censure of his official conduct was inconsistent with the statements submitted. In 16 regular and special appeals tried, his decisions have been reversed, in 11 confirmed. This is by no means a fair proportion, and obliges me to express an opinion unfavorable to his character as an efficient public officer. I must, however, do him the justice to say that, in other respects I have nothing to say against him.

" Of the Sudder Ameen, I am happy to have it in my power to make a different report. He is anxious to his duty, and has been at some pains and expense to acquire an insight into the rules of court and of practice. He is assiduous and intelligent, and, with further experience, will I doubt not render good service. Only 5 of his decisions were disposed of in appeal during the year; and 45 appeals against those of Mr. Herklots, late Sudder Ameen, and Roy Radhagovind, also late Sudder Ameen, now Principal Sudder Ameen of the 24-Pergunnahs; 1 case of appeal against Hurrochunder was confirmed; 3 (decided upon the same principle however) reversed, and one was struck off.

" I have now to speak of the Moonsiffs. The remarks already made respecting the Native Judges include my opinion of this class of officers. As many as 1928 decisions have been given; exparte 749, on trial 713, by consent of parties 466. In reporting on the quantity of these decisions and calculating the proportion of confirmed decisions and those reversed, the last mentioned ought not to be brought into the estimate. Of the cases decided exparte, some, but I do not think by any means a large proportion, are appealed; in neither of the abovementioned descriptions of decisions is the adjustment or discrimination of the subordinate courts exercised;

* See paragraph 241.

it suffices that the proceedings be regular, and decree is given. On reference to statement No. 1, part 1, column 3, heading 5, I observe 273 appeals have been admitted during the year; and statement No. 6 exhibits:

Confirmed by the Judge,..... 42
Reversed by ditto, ... 30

the former bearing to the latter the proportion of about 4 to 3.

"In my annual report on the Burdwan district for the year 1838, I stated that more than a third of the judgments of the Moonsiffs had been reversed. The Court, in their remarks, (vide para. 23 of the printed report for 1838), observe that I 'should have added, in the cases appealed; for the number of reversals is about a twenty-eighth of the actual number of judgments on trial, and less than one-eighth of the number of cases which were defended in the Moonsiffs' courts.' With submission I would suggest that if the same diligence and ability be brought to bear in every case, (a position which must be granted,) the appeals actually tried would give very fair data for forming an opinion of the deciding officer's merits, and in such case a very unfavourable conclusion must be drawn of the Moonsiffs of this district; more especially if reference be had to the nature of the claims generally agitated in their courts.

"A considerable decrease is observable in the institution, always very small in number, before the Moonsiff of Naiserai, Sreenauth Bonnerjea. No confidence is placed in him, he is old and inefficient, and there is a further objection to him that sundry claims on bonds have been brought against him by residents within his jurisdiction. I have thought it necessary to suspend him* on certain allegations which are to some extent substantiated; fresh evidence has, however, been called, pending which, I defer further remark.

"Having expressed my opinion on the official character of Hurrochunder Ghose in a former part of my letter, I have only to add my regret that I cannot speak in high terms of any of the Moonsiffs. In the figured statement No. 6, the name of Molovy Musseeooddeen appears in the most favourable position—next to him is Gholam Mustafa, pensioned under orders of Government, dated 27th December 1839—his successor, Moonshee Gholam Asgur, has been so short a time in office, that I have seen none of his decisions."

247. The Court have perused with great regret the observations which Mr. Barlow has thought it his duty to record, in regard to the proceedings of the Principal Sudder Ameen, Syud Ahmud Khan, an officer who has hitherto borne a very high character, and who was one of those selected by Government, on the recommendation of the Court, for promotion to the higher grade of Principal Sudder Ameens. The conduct of the Principal Sudder Ameen is the more culpable, as it appears that the Judge had previously brought to his notice the law, as construed by the Court, in regard to those very points on which he has erred. The Judge

* Vide my report, dated 21st February, 1840, No. 25.

will be requested to communicate these observations to the Principal Sudder Ameen, informing him, at the same time, that any repeated inattention on his part to the rules laid down for his guidance, or failure properly to investigate cases brought before him, of whatever description, (of which the Judge also complains in regard to the particular class of cases mentioned in paragraph 20 of his report), will render it necessary for the Court to take serious notice of his conduct, and to recommend to the Government to deprive him of the honorary distinction which has been conferred upon him.

248. The report of the Judge of the zeal and ability of Hurrochunder Ghose, the Sudder Ameen of Hooghly, is extremely creditable to that officer. The Court trust that the Sudder Ameen will steadily pursue that course which must lead, at no distant day, to his attainment of the highest rank of judicial employ open to him.

249. Mr. Barlow has reported unfavourably of the Moonsiffs of Hooghly, and considers that the result of their labors does not speak well of their efficiency as judges. On a minute and careful examination of the statements however, the Court are not prepared to concur with Mr. Barlow to the full extent of the opinion he has recorded. The statement* of decisions passed in the appellate Court on appeals from the decrees of the Moonsiffs is fully equal to, if not better than, that of most other districts; and the labor of two or three of the Moonsiffs, individually, will bear comparision with those of any other functionaries of their class. The statement at foot† shews the number of cases decided by three of the Moonsiffs of Hooghly, and the manner in which they were disposed of, together with the number of appeals from their decisions which were confirmed, reversed, and struck off during the year 1839. The Court have no means of course of knowing *how* their work was done, except from an examination of the statements: but from these it is clear that where so few of their decisions were set aside, that work must have been serviceable and efficient. The Court are satisfied that Mr. Barlow will exert himself to check all irregularities in the proceedings of the Moonsiffs, which will best be done by the Judges carefully pointing out to them the errors, whether of law or practice, committed by them; and they trust that on the occasion of his submitting his next report, he will have seen reason to speak of them in terms more favorable than those which appear in the report now under consideration.

* Confirmed, ... 155
Modified or reversed, ... 81
Dismissed on default,... 42
Adjusted,..... 23

† Names of Moonsiffs.	Divisions.	Decided exparte.	Decided on trial.	Judgment on confession of the Defendants.	Total.	Confirmed.	Modified or reversed.	Struck off.
Fuzzul Russool, ...	Jehanabad, ...	70	157	49	256	24	4	8
Umjud Allee, ...	Keerpoy, ...	67	70	56	193	14	8	4
Sudderooddeen Ahmud, ...	Oolooberria, ...	112	56	77	245	20	6	5

250. With the manner in which Mr. Barlow has conducted the duties of his own court, and superintended those of his subordinates, the Court have every reason to be perfectly satisfied.

Zillah Jessore.

251. The regular file of the district of Jessore on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before the Judge, ...	176	277
Ditto P. S. Ameens, ...	379	383
Ditto S. Ameen, ...	238	187
Ditto Moonsiffs, ...	2084	2221
	2877	3068

shewing an increase of 191 suits. Of the suits on the Judge's file 144 were appeals from the decisions of the Moonsiffs.

252. The number of original suits and appeals instituted during the years 1838 and 1839, was as follows:

	1838.	1839.
Before the Judge,.....	1012	902
Ditto Moonsiffs, ...	4956	4234
	5968	5136

shewing a decrease of 832 suits.

* 1821, ...	2
1826, ...	1
1828, ...	1
1834, ...	2
1835, ...	6
1836, ...	15
1837, ...	46
1838, ...	470
1839, ...	2525
	3068

253. The statement in the margin* shews the years in which the suits pending at the close of the year, were instituted. The reasons given for the delay in the disposal of the cases instituted in 1834 and subsequent years, are generally sufficient; but not so as regards the cases of 1821, 1826, and 1828. The cases of 1821 and 1826 were suits referred back for re-trial in the year 1838, and ought to have been decided long before the close of 1839. The attention of the 1st Principal Sudder Ameen, on whose file these suits are pending, should be immediately called to them.

Not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge, ...	3	0	1	4
„ P. S. Ameens, ...	23	11	0	34
„ S. Ameen, ...	187	0	0	187
Total,...	213	11	1	225

254. The marginal statement shews the suits retained on the files of the higher courts, which, with reference to their amount, were triable by the courts of inferior jurisdiction. The reasons given for their retention are sufficient. Of the large number of suits below 300 rupees on the file of the Sudder Ameen, Europeans were concerned in 80. There were no suits on the file of the Judge above the value of 5000 rupees.

255. Mr. E. Deedes held the office of Judge of Jessore during the year 1839 —his time was occupied in the manner shewn in the marginal statement.* Mr. Deedes disposed of 112 cases as shewn in the margin.† Three (3) regular appeals from the decisions of Mr. Deedes were preferred during the year to the Court of Sudder Dewanny Adawlut, and remained on the Court's file at the close of the year. The Court observe that the number of appeals from the decisions of the Principal Sudder Ameens, still pending on the Judge's file, are numerous and will require his early attention.

*	Days.
Civil court, ...	137
Sessions ditto, ...	114
Sundays and Holidays,	114
	365

†	
Decided on trial, ...	97
Dismissed on default,	6
Adjusted or withdrawn,	9
	112

256. The 1st Principal Sudder Ameen, Baboo Hurrynarain Ghose, disposed of 309 suits in the manner noted in the margin.* The number is considerably below that decided by the same officer in the preceding year. There were 33 appeals from the decisions of the 1st Principal Sudder Ameen pending at the close of the year 1838, and 64 were preferred during the year 1839, making a total of 97. These were dealt with in the manner noted in the margin.† Of the 22 cases under the head of "reversed," 14 were sent back for re-trial. The results are not so satisfactory as those exhibited by the returns of the preceding year, which shewed the number of decisions confirmed to be as 2 to 1 to the number reversed. Mr. Deedes has recorded his opinion of this officer in the following terms:—"Hurrynarain Ghose, 1st Principal Sudder Ameen, is an able officer and attentive to his business —in some instances I have had reason to be dissatisfied with his decisions, but generally he has discharged the duties of his office to my satisfaction."

*	
Decided on trial,.....	232
Dismissed on default,...	69
Adjusted or withdrawn,	8
	309

†		
Confirmed,.....	18	
Modified or reversed,	22	
Adjusted or withdrawn, ...		5
Pending, ...	52	
		97

257. Byjenath Sein, the 2d Principal Sudder Ameen, disposed of 273 cases in the manner indicated in the margin.* This officer's work also falls short of that performed by him in 1838. There were 16 appeals from his decisions pending at the close of the year 1838, and 40 were preferred during 1839, making a total of 56, which were dealt with as marginally noted.† The result is on the whole satisfactory. The following opinion recorded by the Judge is very creditable to the 2d Principal Sudder Ameen:—"Byjenath Sein, 2d Principal Sudder Ameen, is a very able and efficient officer, and he bears a high character for integrity in the district—he has given me much satisfaction in the discharge of his duties, being both attentive and assiduous in every respect."

*	
Decided on trial,.....	236
Dismissed on default,	29
Adjusted or withdrawn,	6
	273

†		
Confirmed,.....	7	
Reversed or modified,.....		7
Dismissed on default, ...		1
Adjusted or withdrawn, ...		3
Pending,.....	38	
		56

258. There were 4 appeals preferred direct to the Sudder Court from the decisions of the Principal Sudder Ameens, viz. 2 from the orders of each of them. The decree in one instance, decided by the 2d Principal Sudder Ameen, Byjenath Sein, was confirmed, and the other three cases were pending at the close of the year.

259. The Sudder Ameen, Mahomed Kulleem, disposed of 188 suits in the manner noted in the margin.* In the year 1838 he disposed of 297 suits, of which 211 were decided on trial. It is to be observed, however, that he was absent on leave from the 24th July to the 11th September. The number of appeals from his decisions pending at the close of the year 1838, the number admitted in 1839, and

*	
Decided on trial,.....	149
Dismissed on default, ..	29
Adjusted or withdrawn,	10
	188

* Pending of 1838,..... 59
Admitted in 1839, ... 81
140
Confirmed, ... 23
Reversed or modified, ... 25
Dismissed on default, ... 7
Adjusted or withdrawn, ... 1
Pending, ... 84
— 140

the manner of their disposal, are noted in the margin.* The Court do not consider the result to be at all satisfactory: the number of appeals preferred from the Sudder Ameen's decisions exceeds one-half of the number decided on trial, while the number of decisions reversed is equal to one-sixth of that number. The Judge has remarked that the Sudder Ameen is an efficient officer, and attentive to his duties. The Court give him every credit for attention to his duties, but his character for efficiency appears to them to fail when tested by the figured statements of the work performed by him.

* Decided on trial,... 2722
Dismissed on default, 1088
Adjusted or withdrawn, ... 463
4273
† Confirmed, ... 161
Reversed or modified,... 215
Dismissed on default,... 85
Adjusted or withdrawn, 9
Pending, ... 355
825

260. The Moonsiffs of Jessore disposed of 4273 suits as shewn in the margin.* Of the number decided on trial, 1011 were defended. Three hundred and one appeals from the decisions of the Moonsiffs were pending at the close of the year 1838, and 524 were admitted in 1839, making a total of 825. These were dealt with as noted in the margin.† The Court do not consider the general result to be good, though they observe that the officer, (Muddun Mohun Dutt, late Moonsiff of Commercolly,) the greatest number of whose decisions comparatively, was reversed, died before the close of the year 1839. In the case of Syud Ahmed, Moonsiff of Tirmohnee, 20 of whose decisions were confirmed to 8 reversed, the result is creditable. In another instance however, that of Mahomed Saber, the Moonsiff of Kaloopole, 3 of whose decisions were confirmed to 12 reversed, the statement is very unsatisfactory. The Judge speaks highly of Moolvee Abdoolla, Moonsiff of Jessore; Mr. Thomas, Moonsiff of Singhea, whom he considers deserving of promotion; Taruckchunder Ghose, Moonsiff of Noabad; and Syud Ahmud, Moonsiff of Tirmohnee. In regard to the Moonsiffs named in the margin,* he speaks unfavourably, considering them to be indolent and inattentive to their duties, and their decisions far from satisfactory. The statements fully corroborate the Judge's opinion; and the present Judge will be requested to watch closely the proceedings of the Moonsiffs abovementioned, informing them of the Court's dissatisfaction with their proceedings, and warning them that any continued inattention to their duties will subject them to removal from their situations.

* Ahmed Allee, Moonsiff of Sohagurah.
Hurchunder Roy, ditto of Tolah.
Mahomed Saber, ditto of Kaloopole.
Hamed Allee, ditto of Jheenidah.

261. There were three suits under reference to the Collector at the close of the year under the provisions of Section 30, Regulation II. 1839. No suits were tried with the juries or assessors—105 suits were instituted to set aside summary awards for arrears of rent.

262. The following statement shews the amount or value of the original suits and appeals pending on the 1st January 1840.

	Original suits.	*Appeals.*	*Total.*
Before Judge, ...	1451	67516	68967
Ditto P. S. Ameens, ...	299090	25883	324973
Ditto S. Ameen, ...	39771	0	39771
Ditto Moonsiffs,.....	86577	0	86577
Total,.....	426889	93399	520288

MISCELLANEOUS CASES.

263. The miscellaneous file of the district of Jessore on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before the Judge, ...	398	473
„ P. S. Ameens, ...	206	224
„ S. Ameen, ...	298	226
„ Moonsiffs, ...	1014	957
	1916	1880

shewing a decrease on the whole of 36 cases.

264. The cases of most importance on the file of the Judge are noted in the margin.* One hundred applications for the admission of special appeals were disposed of by the Judge, of which it appears from the statement of appeals that 68 were admitted. The remark† at paragraph 79 of the report on the administration of civil justice for the year 1838, elicited an explanation which satisfied the Court, that the statements had been prepared in complete ignorance of the nature of the cases to be entered under the head of appeals preferred under the provisions of Sections 3 and 5, Regulation VII. 1825, though the Sections quoted are sufficiently explicit. The error has been in some measure rectified in the statements now under consideration, though the Court are apprehensive that some cases which ought to have been entered under the above heading, have been brought under the 17th heading of the Judge's statement No. 2. With reference to the notes marked F and H in that statement, the Judge will be requested to explain more particularly the nature of the cases mentioned as "petitions of appeal against the orders of the Principal Sudder Ameens, Sudder Ameen, and Moonsiffs, passed in the execution of decrees."

* Applications for review of judgment, 1
Ditto for admission of special appeals, ... 48
Ditto summary appeals, under Reg. XXVI. of 1814, and Act XXII. 1838, ... 4
Ditto under Regulation VII. 1825. ... 18
Execution of decrees, 71

† "The circumstance of no appeals having been preferred during the year, under the provisions of Sections 3 and 5, Regulation VII. 1835, appears to the Court so extraordinary, that they will call upon the Judge for an explanation of the same."

265. The miscellaneous file of the Judge is heavy, and will require his unremitting attention. The files of the Principal Sudder Ameens are light, and the Court observe that almost the whole of the old cases are applications for the enforcement of decrees. The Sudder Ameen's file is large, and the Court are at a loss to understand how 16 cases of claims to property advertised for sale in execution of decrees of court, the investigations into which are directed to be speedily and summarily made, have been pending upwards of a year. There are not many cases on the files of the Moonsiffs, and the whole of the old cases are applications for the enforcement of decrees.

266. The statement of miscellaneous appeals from the orders of the Judge of Jessore to the Court of Sudder Dewanny Adawlut during the year 1839, is given in the margin.* There were two appeals to the Sudder Court from the orders of the Principal Sudder Ameens; one was confirmed, and the other case was pending at the close of the year.

* Pending of 1838, ... 7
Admitted in 1839, ... 45
52

Confirmed, ... 27
Modified or reversed, ... 8
Dismissed on default, 1
Pending 16
52

* Pending of 1838, ...	1150
Admitted in 1839, ...	1973
	3132
Disposed of in 1839,...	1973
Pending, ...	1150
Before 1835, ...	18
In 1835, ...	9
„ 1836, ...	10
„ 1837, ...	45
„ 1838, ...	103
„ 1839, ...	920
	1150

267. The marginal* statement shews the number of applications for the execution of decrees, and the years in which the cases pending at the close of the year, were instituted. Of the number disposed of, only 563 were completely executed or compromised between the parties, and 822 were struck off after the first application for execution had been made, owing to the decree-holders neglecting to proceed with their cases. It is to be presumed that they were for the most part privately settled.

GENERAL REMARKS.

268. The statements for the district of Jessore, which have been very carefully prepared, were forwarded by the Principal Sudder Ameen in charge of the Judge's office, in consequence of the absence of the latter officer. No report on the administration of justice in this district, further than a minute by Mr. Deedes (who has proceeded to England) on the character of the Native Judges, has been laid before the Court.

269. The Court regret to observe that there has been no improvement in the condition of the several courts of Zillah Jessore, as compared with that exhibited in the report of the preceding year. Though the number of suits filed in 1839 was 832 less than that instituted in the preceding year, the number pending in all the courts, with the exception of that of the Sudder Ameen at the close of the former year, was in excess of that pending at the same period of 1838. The number of regular cases decided by the Judges of every class in 1839, has considerably fallen short of that disposed of in 1838.* This is in some measure accounted for by the very large number of cases† which were adjusted or withdrawn in the year 1838, as compared with that similarly disposed of in 1839; but yet after making every allowance, the quantity of actual work done in the year under review, falls considerably short of that performed in the year preceding. The late Judge, Mr. Deedes, has recorded his opinion, that some of the Moonsiffs are indolent and negligent; but he has not stated that he took any measures for compelling attention to their duties. To this point the notice of Mr. Deedes's successor will be directed, and the necessity of a vigilant and efficient control over the whole of the subordinate courts, which appears to have been wanting on the part of his predecessor, will be prominently urged upon him by the Court.

* Total of every class.	
Disposed of in 1838,...	6385
Ditto in 1839, ...	5155
Less in 1839, ...	1230
† Adjusted or withdrawn in 1838, ...	1307
Ditto in 1839, ...	496
Difference,.....	811

270. The Court could have wished that a more complete report on the administration of civil justice in this district had been laid before them by the late Judge, as they consider that there are one or two points which require explanation and elucidation. The cause of the great falling off in the number of cases adjusted between the parties, or rather of the great number thus disposed of in the year 1838, should have been stated, and it would have been satisfactory to the Court to have learned the reason of the great number of appeals from the decisions of the Sudder Ameen and Moonsiffs which were preferred during the year in this district, as compared with that preferred in the great majority of the districts under the Court's jurisdiction. It is a matter of considerable importance that the Court should be apprised whether this has resulted from proneness to litigation on the part of the inhabitants of the district, or to a want of confidence in the Native

Judges. To this point also the attention of Mr. Lang, the present Judge, will be specially directed by the Court.

Zillah Midnapore.

271. The regular file of the district of Midnapore on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before the Judge, ...	136	141
Ditto P. S. Ameen, ...	128	170
Ditto S. Ameen, ...	81	94
Ditto Moonsiffs, ...	1174	1172
	1519	1577

shewing an increase of 58 suits.

272. The number of original suits and appeals filed during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before the Judge, ...	384	520
Ditto Moonsiffs, ...	3029	3026
	3413	3546

shewing an increase of 133 cases.

273. The statement in the margin* shews the years in which the suits pending on the 31st December were instituted, and is considered by the Court to be very satisfactory.

* 1836, ... 1
1837, ... 9
1838, ... 60
1839, ... 1507
1577

274. The memorandum in the margin shews the number of original suits retained on the files of the higher courts, which, with reference to their amount, were triable by the courts of inferior jurisdiction. There were also 6 suits above the value of 5000 rupees on the file of the Judge. The reasons for the retention of these cases are not given in the annual returns, though they are to be found in the statement for the month of December 1839. Some of the cases have been transferred to the subordinate courts, the rest have been retained on good grounds.

Not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge.....	6	4	4	14
,, P. S. Ameen,	11	1	0	12
,, S. Ameen,...	61	0	0	61
Total,.....	78	5	4	87

275. Mr. R. P. Harrison had charge of the current duties of the office of Civil and Sessions Judge of Midnapore from the 1st to the 28th January. The Honorable J. C. Erskine officiated as Judge from this date to the 1st July, when Mr. A. Grote was put in charge of the current duties until the 9th August. Mr. Erskine then resumed his duties and continued in the office till the 18th October. In the

interval between this and the 21st November, the office was again in charge of Mr Harrison, and from that period to the end of the year Mr. R. E. Cunliffe held the office of Judge of the district. The marginal memorandum* shews the manner in which the time of the Judges was employed.

	Days.
* Civil court,	94
Sessions and Criminal duties,	71
Sundays and Holidays,	124
Judge absent on leave and from indisposition,	76
	365

276. Ninety-eight (98) cases were disposed of in the Judge's court in the manner noted in the margin,* viz. 84 by Mr. Erskine and 14 by Mr. Cunliffe. Three regular appeals and one special appeal from the decisions of Mr. Erskine were preferred to the Sudder Dewanny Adawlut. The case of special appeal was remanded for further investigation, and one of the regular appeals was withdrawn: the other two cases were pending at the close of the year.

* Decided on trial,	69
Dismissed on default,	26
Adjusted, &c.	3
	98

277. Moolvee Abdoosumud held the office of Principal Sudder Ameen from the 1st January to the 13th September, when he was suspended. He was succeeded on the 3d of December by Kumber Allee, the Sudder Ameen of Midnapore, who was appointed to officiate for him; the appointment in the interval having been vacant. The number of suits decided by each of the abovenamed officers is given in the margin.* There were three appeals from the decisions of Moolvee Abdoosumud preferred direct to the Sudder Court, in the whole of which his decisions were confirmed. The number of appeals preferred from his decisions to the Zillah Judge is given in the marginal statement,† together with the manner of their disposal. As the conduct of this officer is still under the investigation of the Court, they abstain from recording any opinion at present on the result of his official labors during the past year.

	Decided on trial.	Dismissed on default.	Adjusted or withdrawn.	Total.
* Moolvee Abdoosumud,	170	4	6	180
Kumber Allee,	26	5	0	31
Total,	196	9	6	211

† Pending of 1838,		40
Admitted in 1839,		45
		85
Confirmed,	21	
Modified or reversed,	18	
Dismissed on default,	21	
Pending,	25	
		85

278. Kumber Allee held the situation of Sudder Ameen from the 1st January to the 3d of December, when he was appointed, as already observed, to officiate as Principal Sudder Ameen, and Ukber Allee, Moonsiff of Midnapore, was nominated to act as Sudder Ameen. The Sudder Ameens disposed of 168 cases in the manner noted in the margin.* The number of appeals from the decisions of Kumber Allee at the end of 1838, the number preferred in 1839, and the manner of their disposal, are noted in the margin.† So few of the appeals have been taken up by the Judge, that the Court are unable to come to any satisfactory conclusion, in regard to the general character of the proceedings of the Sudder Ameen during the period under review.

	Decided on trial.	Dismissed on default.	Adjusted or withdrawn.	Total.
Kumber Allee,	101	38	1	140
Ukber Allee,	25	0	3	28
Total,	126	38	4	168

† Pending of 1838,		20
Admitted in 1839,		44
		64
Confirmed,	5	
Modified or reversed,	9	
Dismissed on default,	1	
Pending,	49	
		64

279. The Moonsiffs of Midnapore disposed of 3064 suits in the manner noted in the margin.* The number of appeals from their decisions pending at the close of the year 1838, the number preferred in 1839, and the manner of their disposal, are similarly shewn.† The results are very satisfactory, especially in the instances of Ukber Allee, Moonsiff of Midnapore, and Gholam Russool, Moonsiff of Nemal, and Mr. Pennington, Moonsiff of Mohunpore. The Court observe that almost the whole of the appeals from the decisions of the Moonsiffs were heard by the Principal Sudder Ameen.

* Decided on trial,..... 185
Dismissed on default, 1004
Adjusted or withdrawn, ... 206
3064

† Pending of 1838,..... 111
Admitted in 1839,..... 185
296

Confirmed, ... 103
Modified or reversed, ... 54
Dismissed on default,..... 5
Adjusted or withdrawn, ... 1
Pending, ... 133
296

280. The number of suits under reference to the Collector under the provisions of Section 30, Regulation II. 1819, at the close of the year, was 8. No suits were tried with the assistance of assessors; 44 suits were instituted to set aside summary awards for arrears of rent.

281. The total amount of the regular suits and appeals pending on the 1st January 1840, was as follows:—

	Original Suits.	*Appeals.*	*Total.*
Before Judge,.....	248735	47977	296712
Ditto P. S. Ameen, ...	344138	5566	349704
Ditto S. Ameen, ...	23780	0	23780
Ditto Moonsiffs,.....	52833	0	52833
Total	669486	53543	723029

282. On completing their remarks on the Judge's annual statement No. 1, the Court cannot but observe how carelessly it has been prepared. The statement does not shew the number of suits decided respectively by the different officers who held the appointments of Judge, Principal Sudder Ameen and Sudder Ameen, as expressly required by the instructions furnished to the Civil Judges for the preparation of their periodical returns. The reasons for the retention, on the files of the higher courts, of suits referrible to the courts of inferior jurisdiction, have not been given, and the memorandum B of statement No. 1 has been prepared in a manner which the Court are at a loss to comprehend, as it is clear that suits received by transfer and suits transferred to the courts cannot be included in the same column. The information necessary to enable the Court to record their resolution on the statements has been gathered from other sources,—partly, indeed, from the Officiating Judge's letter submitting the statements; but the Court observe that the statements ought to be prepared agreeably to the instructions issued to the Judges, and it is not sufficient to supply, in the form of a letter, information which should appear in the body of the statements, so as to render them complete in themselves. Mr. Cunliffe will be referred

to the Court's Circular, No. 28, of the 7th December, 1838, an adherence to which would have prevented the errors into which he has fallen on the present occasion.

MISCELLANEOUS CASES.

283. The miscellaneous file of the district of Midnapore on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	555	534
Ditto P. S. Ameen, ...	164	166
Ditto S. Ameen, ...	71	39
Ditto Moonsiffs, ...	280	250
	1070	989

shewing a decrease of 81 cases. The file of the Judge is heavy, and will require unremitting attention. The most important cases still pending before him are noted in the margin.* As no cases are stated to have been pending of the nature of appeals under the provisions of Regulation VII. 1825, the Judge will be requested to report, whether the mode of filling up the heading prescribed for such cases is understood in his office, and to state the nature of the three cases under that head which were disposed of during the year. Eighty (80) applications for the admission of special appeals were disposed of during the year, of which 37 were admitted. There were 7 miscellaneous appeals from the Judge's decisions pending before the Sudder Court at the close of 1838, and 48 were preferred during 1839, making a total of 55. They were disposed of as stated in the margin.†

* Reviews of judgment, 11
Applications for special appeal, ... 56
Summary appeals under Reg. XXVI. 1814 & Act XXII. 1838..... 8
Execution of Decrees, 52

† Confirmed, ... 16
Modified or reversed,... 8
Dismissed on default,... 6
Pending, ... 25
55

284. The miscellaneous files of the Native Judges are light, and call for no particular remark. The Court, however, cannot but notice with surprise the strange mistake into which the Sudder Ameen fell in regard to the 364 cases entered in the marginal extract* from the Court's civil report for the year 1838. It now appears from the explanation submitted by the Officiating Judge that the cases were referred to the Sudder Ameen by the Magistrate on the criminal side, and of course ought not to have appeared in his civil statements.

* "364 cases are put down under the head of 'all other miscellaneous cases' as disposed of within that time. The Officiating Judge will be instructed to report the nature of these cases, which make so conspicuous a figure in the Sudder Ameen's statement."

285. The statements in the margin* shew the number of applications for the execution of decrees, together with the years in which the cases pending on the 31st December, were instituted. Of the number disposed of, 348 were completely executed or withdrawn by the decree-holders, and in 381 instances the holders neglected to proceed with their cases after filing the first application. The majority of these cases, it may be presumed, were privately settled.

* Pending of 1838,..... 410
Admitted in 1839, ... 863
1273
Executed in 1839, ... 814
Pending, ... 459

Before 1835, ... 2
In 1835, ... 5
1836, ... 9
1837, ... 10
1838, ... 53
1839, ... 380
459

GENERAL REMARKS.

286. The statements for the district of Midnapore were submitted by Mr. Cunliffe, with his letter of the 18th February last. As already noticed they have not been prepared with any care, a circumstance which the Court the more regret, as they have frequently had occasion to notice with displeasure the great inattention, on the part of Mr. Cunliffe, to the preparation of some of the most important returns periodically submitted by him.

287. As far as the Court can judge from the statements before them, the administration of civil justice in the courts of the Native Judges of Midnapore, would appear to be prompt and efficient; but the Court have not received from the Officiating Judge any report in regard to the official character and qualifications of those Judges. Mr. Erskine left no minute on this point, as required by the Circular Order of the 12th August 1836, and Mr. Cunliffe states that he has not been in office a sufficient time to enable him to form any opinion on the subject. The Court trust that the report for the current year will fully supply the requisite information on a matter of such importance as that alluded to.

288. The Court have no reason to be dissatisfied with the exertions of Mr. Erskine during the period he was in charge of the Judgeship of Midnapore.

Zillah Moorshedabad.

289. The regular file of the district of Moorshedabad on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge,.....	32	31
Ditto P. S. Ameen, ...	159	159
Ditto S. Ameen,.....	154	90
Ditto Moonsiffs,.....	849	961
	1194	1241

being an increase of 47 suits.

290. The number of original suits and appeals instituted during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judges, ...	533	489
Ditto Moonsiffs, ...	1893	2254
	2426	2743

being an increase of 317 suits.

291. The marginal memorandum* shews the years in which the suits pending on the 1st January last, were instituted, and is considered satisfactory, as shewing a great improvement when compared with the corresponding return of the preceding year.

* 1835, ... 1
1836, ... 2
1837, ... 13
1838, ... 68
1839, ... 1157
1241

292. There were no original suits of any description pending on the file of the Zillah Judge. Two cases not exceeding 1000 rupees in value were retained on the file of the Principal Sudder Ameen, the reasons for which are sufficient. Twenty-nine cases not exceeding 300 rupees were on the file of the Sudder Ameen. From the explanation given, the Court remark that these suits were not referrible to the Moonsiffs, with the exception of the cases instituted *in formâ pauperis*, which, after admission, may be made over to the Moonsiffs under the provisions of Clause 5, Section 5, Regulation V. 1831.

293. Mr. F. W. Russell was Judge of Moorshedabad during the year 1839. His time was disposed of in the manner noted in the margin.* During the period he sat in the civil court, Mr. Russell disposed of 151 suits in the manner shewn in the margin.† Two appeals (one regular and one special) from the decisions of Mr. Russell, were preferred to the Sudder Dewanny Adawlut in the course of the year under review. They had not been decided at the end of the year. The Court are glad to observe that of the number of cases disposed of by Mr. Russell, 98 were appeals from the decisions of the Moonsiffs, the rest consisting of appeals from the decrees of the Principal Sudder Ameen and Sudder Ameen.

* Civil court, ... 106
Sessions and criminal duties, ... 120
Sundays and Holidays, 127
Absence from indisposition, ... 12
365

† Decided on trial, ... 142
Dismissed on default, ... 6
Adjusted or withdrawn, 3
151

294. The Principal Sudder Ameen, Sumbhoonath Ray, disposed of 209 suits in the manner noted in the margin.* Twenty-one appeals from this officer's decisions were pending in the Judge's court at the close of 1838, and 36 were preferred during the year 1839, making a total of 57, which were dealt with in the manner noted in the margin.† The Court observe that of the appeals disposed of by the Judge, 19 were regular and 15 special appeals. In the former the decisions of the Principal Sudder Ameen were confirmed in 14 instances, and in the latter only in 5. Eight (8) appeals from the decisions of the Principal Sudder Ameen were preferred direct to the Sudder Court. In one case the decree of the Principal Sudder Ameen was confirmed; two cases were dismissed on default, and the remaining 5 cases were on the file of the Sudder Court at the close of the year. Of this officer Mr. Russell observes "that he is a zealous and active man, and deserving of promotion."

* Decided on trial, ... 163
Dismissed on default, ... 34
Adjusted or withdrawn, 12
209

† Confirmed, ... 19
Reversed or modified, ... 15
Pending, ... 23
57

295. The Sudder Ameen, Moolvee Nujm ool Huq, disposed of 226 cases in the manner shewn in the margin.* The number of appeals pending from his decisions at the close of the year 1838, the number admitted in 1839, and the manner of their disposal, are also noted.† The result is very creditable to the Sudder Ameen, to whose intelligence, industry, and judgment, the Judge bears testimony in his report on the qualifications of the Native Judges.

* Decided on trial, ... 197
Dismissed on default, 19
Adjusted or withdrawn, 10
226

† Pending of 1838, 8
Admitted in 1839, 56
64

Confirmed, ... 20
Modified or reversed, ... 7
Dismissed on default, ... 1
Adjusted or withdrawn, ... 1
Pending, ... 35
64

296. The Moonsiffs of Moorshedabad disposed of 2195 cases in the manner exhibited in the margin.* The number of appeals from their decisions pending at the close of 1838, and the manner of their disposal, are also shewn.† The statement shews a great improvement as compared with that of the preceding year.

* Decided on trial, ...		1565
Dismissed on default,		610
Adjusted or withdrawn,		20
		2195
† Pending of 1838, ...		72
Admitted in 1839,.....		206
		278
Confirmed, ...	93	
Reversed or modified, ...	80	
Dismissed on default,.....	27	
Adjusted or withdrawn, ...	3	
Pending, ...	75	
		278

297. There were no suits pending before the Collector under Section 30, Regulation II. 1819, at the close of the year. No suit was tried with the aid of assessors. Three (3) suits were instituted to set aside summary awards for arrears of rent.

298. The total amount or value of the original suits and appeals pending on the 1st January 1840, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	0	23379	23379
Ditto P. S. Ameen,.....	325069	19848	344917
Ditto S. Ameen,.....	36638	0	36638
Ditto Moonsiffs,.....	51898	0	51898
Total, ...	413605	43227	456832

MISCELLANEOUS CASES.

299. The miscellaneous file of the district of Moorshedabad on the 1st January 1839 and the 1st January 1840, respectively, was as follows:

	1839.	1840.
Before Judge, ...	105	77
Ditto Principal Sudder Ameen,.....	104	104
Ditto Sudder Ameen, ...	186	90
Ditto Moonsiffs, ...	604	499
	999	770

being a decrease of 229 cases.

300. The Court remark that there were very few cases of any importance pending on the file of the Judge. Of 24 applications for the admission of special appeal disposed of by the Judge, 13 were admitted. The files of the Native Judges were very light, and almost the whole of the cases of more than one year's standing were applications for the enforcement of appeals.

301. The marginal statements* shew the result of the miscellaneous appeals preferred to the Sudder Court from the decisions of the Judge and Principal Sudder Ameen.

* Judge.

Pending of 1838,.....		6
Preferred in 1839, ...		27
		33
Confirmed,.....	8	
Modified or reversed, ...	12	
Dismissed on default, ...	2	
Pending,.....	11	
		33

Principal Sudder Ameen.

Pending of 1838,.....		2
Preferred in 1839,.....		5
		7
Confirmed, ...	2	
Dismissed on default,.....	1	
Pending, ...	4	
		7

302. The marginal statements* shew the number of applications for the execution of decrees pending at the close of the year 1838, the number preferred in 1839, and the number disposed of, together with the years in which the suits pending on the 31st December last, were instituted. The Court observe that there has been a marked improvement, during the year under review, in this branch of the duties of the civil courts.

* Pending of 1838, ...	789
Admitted in 1839,.....	950
	1739
Disposed of in 1839,...	1140
Pending,.....	599
Before 1835, ...	1
In 1835, ...	3
„ 1836, ...	6
„ 1837, ...	34
„ 1838, ...	69
„ 1839, ...	486
Total	599

GENERAL REMARKS.

303. The statements for the district of Moorshedabad were submitted by Mr. Russell, with his letter of the 28th January last, in which he has fully detailed the proceedings of the lower courts, and stated his opinion of the character and qualifications of the several judges who preside in them. Considerable care and attention have been bestowed in the preparation of the returns.

304. The Court have but little to add to what Mr. Russell has stated regarding the Principal Sudder Ameen and Sudder Ameen, both of whom appear to be able and efficient officers. They would observe, however, that the places in which the Principal Sudder Ameen and Sudder Ameen hold their court, are described by Mr. Russell as altogether unfit for the purpose. The Court will suggest to Government that measures should be taken to repair them without loss of time.

305. The Court in their civil report for the year 1838, had occasion to express their regret that Mr. Russell "continued to entertain an opinion very unfavorable to the integrity and efficiency of the Moonsiffs." It is satisfactory to the Court to remark that Mr. Russell's present report does not convey to the Court the same unqualified condemnation of the character of this class of Native Judges. While it has been found necessary to dismiss one Moonsiff and suspend

another, the two officers named in the margin,* appear to have conducted themselves in such a manner as to have gained the approbation of their immediate superior; and the other Moonsiffs, including Tafuzzul Hossein, the Moonsiff of Zeagunge, whose conduct had been unfavorably noticed in the report for 1838, have been attentive to their duties, and cautious in their mode of discharging them. The Court remark with satisfaction the cordial manner in which Mr. Russell has acted upon their suggestion, at the concluding paragraph of their resolutions on the returns from Moorshedabad for the year 1838, to exercise the most vigilant supervision and control over the courts of the Moonsiffs.

* Sreenath Chowdry, Moonsiff of Jungypore, and Moulvee Shuffee-oo-Rehman, Moonsiff of Lalbaugh.

306. The Judge should suggest to the Court the transfer of Tafuzzul Hossein to some other division, if his age and infirmities disqualify him for the efficient discharge of the heavy duties of the Zeagunge division.

307. With reference to the courts of the Moonsiffs, Mr. Russell obverves: "My civil report for the year 1838 shewed the number of cases preferred to the Moonsiffs to have been on the decrease from the year 1835 to 1838 inclusive—this year there has been a very remarkable increase in the number of cases preferred, viz. the numbers in the former years were as follows:

1835.	1836.	1837.	1838.
2763	2332	2201	1893

in 1839 there have been 2254—an increase of 361 cases, while there has been a decrease in the appeals, which in 1838 were 269, but this year amount only to 206."

308. From these facts Mr. Russell draws the conclusion, which appears to the Court to be well founded, that "the inhabitants of the district are better satisfied with the administration of civil justice than formerly."

309. The Court are quite satisfied with the manner in which Mr. Russell has conducted the duties of his own court. They have noted the marked improvement in the state of the several courts of the Zillah as exhibited by the returns now before them; and it will afford them pleasure to restore Moorshedabad to its place in the list of districts in which civil justice is efficiently administered, from which it was excluded for the reasons then stated in their report for the year 1838.

Zillah Mymensing.

310. The regular file of the district of Mymensing on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	191	92
Ditto P. S. Ameens,.....	262	267
Ditto Moonsiffs, ...	1551	1358
	2004	1717

shewing a reduction of 287 suits.

311. The number of original suits and appeals instituted during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judge, ...	690	590
Ditto Moonsiffs, ...	3780	3069
	4470	3659

being a decrease of 811 cases, for which the Zillah Judge says he is unable to account.

312. The marginal memorandum* shews the years in which the original suits and appeals pending at the close of the year, were instituted. The file of old cases is not large. The Court, however, cannot pronounce the reasons for delay in some of the cases to be altogether satisfactory.

* 1828, ...	1
1829, ...	1
1834, ...	2
1835, ...	2
1836, ...	3
1837, ...	9
1838, ...	84
1839, ...	1615
	1717

313. There were 2 original suits pending before the Judge at the end of the year, the value of the property contested in both being less than 300 Rupees. One of these cases was instituted to obtain the execution of a Moonsiff's decree, passed under the system in operation before the promulgation of Regulation V. 1831, and was referrible to the Principal Sudder Ameen. There were 37 suits on the files of the Principal Sudder Ameens, below the value of 300 Rupees each. The reasons given for the reference of these cases to the Principal Sudder Ameens are sufficient. There being no Sudder Ameen in the district, all suits above the value of 300 Rupees are necessarily tried by the Principal Sudder Ameens.

	Days.
* Civil court, ...	100
Sessions court, ...	190
Sundays and Holidays,	68
Absent (sick), ...	7
Total.....	365

† Decided on trial, ...	92
Dismissed on default, ...	14
Adjusted or with-drawn, ...	1
	107

314. Mr. R. Torrens was Judge of the district of Mymensing during the year 1839. His time was employed in the manner noted in the margin.* Mr. Torrens disposed of 107 suits in the manner noted in the margin.† These cases, with very few exceptions, were appeals from the decisions of the Principal Sudder Ameen. The Court, however, observe that Mr. Torrens perused the records of 104 cases of appeal from the decisions of Moonsiffs, before making them over to the Principal Sudder Ameens for trial. Six cases of special appeal from the decisions of Mr. Torrens were admitted by the Sudder Dewanny Adawlut during the year. One case was remanded for further enquiry, and the remaining five were pending at the close of the year.

315. The office of 1st Principal Sudder Ameen was held by two officers. Moonshee Mahomed Khoorshed officiated for the Principal Sudder Ameen, Moolvee Jelaloodeen, during the absence of the latter from the 1st January to the 25th May. On the 26th May, Moolvee Jelaloodeen rejoined his appointment and remained in it for the rest of the year. The number of suits disposed of in the court of the 1st Principal Sudder Ameen during the year, was 314, in the manner shewn in the marginal memorandum.* Of the number decided on trial, Moonshee Mahomed Khoorshed decided 129, and Moolvee Jelaloodeen 127. The number of appeals from the decisions of the last mentioned officer pending at the close of the

* Decided on trial, ...	256
Dismissed on default, ...	54
Adjusted or withdrawn,	4
	314

year 1838, the number instituted in 1839, and the manner of their disposal, are given in the margin.†

† Pending of 1838,..... 51
Admitted in 1839,..... 21
Total 72
Confirmed, ... 20
Reversed or modified, ... 21
Dismissed on default,..... 4
Pending, ... 27
72

316. Moonshee Muneerooddeen Mahomed officiated as Additional Principal Sudder Ameen from the 3d January to the 25th May, that is, during the period that Mahomed Khoorshed, who holds the appointment of Additional Principal Sudder Ameen, officiated as 1st Principal Sudder Ameen. Mahomed Khoorshed rejoined his own appointment on the 26th May. In the court of the Additional Principal Sudder Ameen, 289 cases were disposed of in the manner noted in the margin.* Of the cases decided on trial, 104 were decided by Moolvee Muneerooddeen, and 110 by Mahomed Khoorshed. The marginal statements† shew the number of appeals from the decisions of the last named officer, in his capacities of 1st and Additional Principal Sudder Ameen.

* Decided on trial,..... 214
Dismissed on default,... 70
Adjusted or withdrawn, 5
289

† Pending of 1838,..... 22
Admitted in 1839, ... 57
Total..... 79
Confirmed, ... 13
Reversed or modified, ... 14
Dismissed on default,..... 3
Pending, ... 49
79

317. Eight appeals preferred from the decisions of Moolvee Muneeroodeen, remained on the Judge's file at the close of the year.

318. Four (4) appeals from the decisions of Cazee Jelalooddeen, and two (2) from those of Mahomed Khoorshed, preferred direct to the Sudder Court, had not been taken up by the Court before the close of the year.

319. It appears to the Court that the number of the decisions of the two Principal Sudder Ameens of the district, which were reversed, in comparison with the number confirmed, is large. The Judge remarks that Cazee Jelalooddeen is diligent and attentive to his duties, and that Mahomed Khoorshed has given him considerable satisfaction. He further states that he entertains a very high opinion of Moolvee Muneerooddeen for ability and industry. This last officer has since been appointed one of the Principal Sudder Ameens of Zillah Chittagong. The Judge recommends that Mahomed Khoorshed be appointed second instead of additional Principal Sudder Ameen of Mymensing. The distinction of appointments and the reasons for the recommendation are not clear to the Court.

320. The Moonsiffs of this district disposed of 3,302 suits in the manner noted in the margin.* Of the cases decided on trial, 841 appear to have been defended. The number of appeals from the decisions of the Moonsiffs pending at the close of 1838, the number admitted in 1839, and the manner of their disposal, are noted in the margin.† The Court consider the results to be very unsatisfactory, and in the instances of Ameerooddeen, Moonsiff of Mudargunge, Ram Joye Roy, Moonsiff of Nicklee, and Mahomed Sadiq, Moonsiff of Sherepore, quite discreditable to those officers. The first of those functionaries, however, Mr. Torrens describes as attentive to his duties.

* Decided on trial, ... 1998
Dismissed on default, 517
Adjusted or withdrawn, ... 787
3302

† Pending of 1838, ... 194
Admitted in 1839, ... 361
Total,..... 555
Confirmed, ... 148
Reversed or modified, ... 174
Dismissed on default,..... 80
Adjusted or withdrawn, ... 2
Pending, ... 151
555

321. Mr. Torrens has entered at some length into the proceedings of the courts of the several Moonsiffs during the period under consideration, and has noticed some instances in which those officers have committed errors in the investigation of the suits tried by them. As these errors have been brought to the notice of the Moonsiffs, the Court do not consider it necessary to advert to them at any greater length. Mr. Torrens does not appear from his remarks to have been satisfied with the official conduct of the Moonsiffs during the year. He observes however, that Collynath Mujmoadar, Moonsiff of Pingnah, conducted himself most to his satisfaction. The Court, judging from the statements, consider there was ample cause for dissatisfaction, and will request Mr. Torrens to apprise those officers that, unless considerable improvement takes place during the current year in their mode of discharging the duties of their courts, it will be necessary for the Court to take serious notice of their conduct.

322. Three (3) suits were under reference to the Collector at the close of the year under the provisions of Section 30, Regulation II. 1819. One suit was decided by the Judge in accordance with the opinion of a Punchayet under Regulation VI. of 1832. Thirty-two (32) suits were instituted to set aside summary awards for arrears of rent.

323. The total amount or value of the original suits and appeals pending on the 31st December last, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	44	58997	59041
Ditto P. S. Ameens, ...	327850	9017	336867
Ditto Moonsiffs,.....	57022	0	57022
Total	384916	68014	452930

MISCELLANEOUS CASES.

324. The miscellaneous file of the district of Mymensing on the 1st January 1839 and the 1st January 1840, respectively, was as follows:

	1839.	1840.
Before Judge, ...	378	335
Ditto P. S. Ameens, ...	379	313
Ditto Moonsiffs, ...	985	744
	1742	1392

shewing a reduction of 350 cases.

325. The marginal statement* shews the cases of most importance, pending on the file of the Judge. Of 56 applications for the admission of special appeals disposed of by the Judge, 31 were admitted.

* Review of judgment,	1
Applications for the admission of special appeals, ...	34
Summary appeals under Sec. 3, Reg. XXVI. 1814, and Act XXII. 1838,	12
Ditto ditto under Regulation VII. 1825,	1
Execution of decrees,	7
Claims to property advertised for sale,	40

326. There were 23 appeals from the orders of the Judge in miscellaneous cases pending before the Sudder Court at the close of the year 1838, and 51 were preferred in 1839, making a total of 74. These were dealt with in the manner noted in the margin.* In one case of appeal from the orders of the Principal Sudder Ameens, the order of the lower court was reversed.

* Confirmed, ...	32
Reversed or modified....	15
Dismissed on default,...	5
Pending, ...	22
	74

327. The miscellaneous files of the Native Judges call for no particular remark. They are light, and the cases of old standing, with very few exceptions, are applications for the enforcement of decrees.

328. The statements in the margin* shew the number of applications for the execution of decrees pending at the close of 1838, the number preferred in 1839, and the number disposed of, together with the years in which the applications pending at the close of the year under review, were instituted. Of the number disposed of, 570 were completely executed or compromised between the parties, and only 42 were struck off in consequence of the decree-holders having neglected to follow up their first applications for execution: the remaining 1449 were struck off after partial execution. The Court cannot consider the result to be by any means satisfactory.

* Pending of 1838, ...		1244
Admitted in 1839,.....		1685
Total, ...		2929
Disposed of		2061
		868
Before 1836, ...	8	
In 1836, ...	12	
1837, ...	45	
1838, ...	100	
1839, ...	703	
		868

GENERAL REMARKS.

329. The statements for the district of Mymensing were forwarded with Mr. Torrens's letter of the 28th February last. They have been very carefully prepared, and, together with his report on the administration of civil justice in his district during the past year, evince that great attention has been paid by him to the efficient control and supervision of the courts of the Native Judges. Adverting to the comparatively small portion of the year which Mr. Torrens was able to devote to civil duties, the Court are quite satisfied with the quantity of business disposed of by him, as shewn in the statements now reviewed.

330. The remarks of the Court in regard to the proceedings of the Native Judges, have been recorded in the body of the resolutions for this district. The only additional observation the Court have to make is with reference to the courts of the Moonsiffs, in which they hope to observe a manifest improvement, on the receipt of the returns for the present year.

Zillah Nuddea.

331. The regular file of the district of Nuddea on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	48	104
Ditto P. S. Ameen, ...	139	64
Ditto S. Ameen, ...	62	92
Ditto Moonsiffs, ...	1791	1636
	2040	1896

being a decrease of 144 suits. The increase on the Judge's file is stated to have been caused by the absence of that officer on medical certificate.

332. The number of regular suits and appeals filed during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judge, ...	539	408
Before Moonsiffs, ...	5351	4507
	5890	4915

being a decrease of 975 suits, for which no cause has been assigned.

* In 1834, ...	2
„ 1837, ...	6
„ 1838, ...	135
„ 1839, ...	1753
	1896

333. The marginal statement* shews the years in which the suits pending on the 31st December, were instituted, and is considered satisfactory. The attention of the Moonsiff of Kagazpookooreah should, however, be called to the two cases of 1834, both of which are pending in his court.

Not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge,.....	4	1	4	9
Ditto P. S. Ameen,	11	1	0	12
Ditto S. Ameen,...	60	0	0	60
Total,.....	75	2	4	81

334 The memorandum in the margin shews the number of suits retained on the files of the higher courts, which, with reference to their amount, were referrible to the courts of inferior jurisdiction. There was also one case above the value of 5,000 rupees on the file of the Judge. The reasons given for the retention of the cases are generally satisfactory. The Court observe however, that the suit to enforce execution of a decree passed by a Moonsiff under the old system, might have been referred to the Principal Sudder Ameen or Sudder Ameen for trial.

335. Mr. R. P. Nisbet was Judge of Nuddea from the 1st January to the 26th November. He was however either absent on leave or disabled by indisposition from attending office for a considerable portion of that time, as shewn by the

marginal statement* of the manner in which the Judge's time was disposed of. During Mr. Nisbet's absence, one of the Assistants at the station was in charge of the current duties of the office. Mr. J. C. Brown officiated as Judge of Nuddea from the 26th November to the close of the year, having previously held the office of Additional Judge from the 18th October to the 26th November.

	Days.
* Civil court,	57
Sessions and criminal duties,	95
Sundays and Holidays,	92
Absent, &c.	121
	365

336. The total number of suits disposed of in the year in the Judge's court was 60, as shewn in the margin.* Of these Mr. Nisbet disposed of 53, and Mr. Brown 7. The instructions of the Court have not been attended to in the preparation of the statement, which should shew the number of each class of cases, under the three marginal heads, disposed of by each officer. Eleven regular and six special appeals from the decisions of Mr. Nisbet were preferred to the Sudder Court during the year 1839. One of the special appeal cases was remanded for further enquiry. The other cases were pending on the Court's file at the close of the year.

* Decided on trial,	54
Dismissed on default,	5
Adjusted or withdrawn,	1
	60

337. The office of Principal Sudder Ameen was held by Moolvee Izzut Allee. He disposed of 237 cases in the manner noted in the margin.* The number of appeals from the decisions of the Principal Sudder Ameen pending at the close of 1838, the number preferred in 1839, and the manner in which they were dealt with, are similarly shewn.† The result is not by any means so satisfactory as in the preceding year, in which the number of decisions confirmed was 41 to 18 reversed. There were no appeals to the Sudder Court from the decisions of the Principal Sudder Ameen. Mr. Nisbet observes of Moolvee Izzut Allee that he is a highly respectable, intelligent, and hard-working officer.

* Decided on trial,	181
Dismissed on default,	46
Adjusted or withdrawn,	10
	237
† Pending of 1838,	21
Preferred in 1839,	44
	65
Confirmed,	17
Reversed or modified,	20
Adjusted or withdrawn,	1
Pending,	27
	65

338. The Sudder Ameen, Sham Chunder Roy, who is also Moonsiff of Kishnaghur, disposed of 94 suits in the former capacity. There were 23 appeals from his decisions pending at the close of the year 1838, and 16 were preferred in 1839, making a total of 39, which were dealt with in the manner noted in the margin.† With the exception of 1 case, the whole of the appeals disposed of were decided by the Principal Sudder Ameen. Mr. Nisbet remarks of Sham Chunder Roy that he is "a hard-working, useful officer, with the very best intentions."

* Decided on trial,	74
Dismissed on default,	8
Adjusted or withdrawn,	12
	94
† Confirmed,	8
Reversed or modified,	11
Pending,	20
	39

339. The Moonsiffs of Nuddea disposed of 4716 cases in the manner noted in the margin.* A statement of appeals from their decisions is similarly given.† As, of the number of cases decided on trial, only 452 were defended in the courts of the Moonsiffs, the Court cannot consider the general results to be satisfactory; though in the individual case of Mahomed Waiz, Moonsiff of Dowlutgunge, the result† of the appeals from his decisions is very creditable to him. Mr. Nisbet speaks favorably of the undermentioned officers:

Qoorban Ulee, Moonsiff of Meherpore; and
Mahomed Waiz, Moonsiff of Dowlutgunge, both of the 1st grade;
Thakoor Doss Banorjea, Moonsiff of Punghutta;
Radamohun Chowdry, Moonsiff of Hunra; and
Shamul Pran Moostofee, Moonsiff of Goburdungah.

* Decided on trial,	2996
Dismissed on default,	570
Adjusted or withdrawn,	1150
	4716
† Pending of 1838,	81
Preferred in 1839,	156
	237
Confirmed,	73
Reversed or modified,	64
Dismissed on default,	33
Adjusted or withdrawn,	5
Pending,	62
	237
† Confirmed,	10
Reversed,	1
Struck off on default,	3

340. There were 12 suits under reference to the Collector at the close of the year, under the provisions of Section 30, Regulation II. 1819. No suits were tried with the aid of assessors. Fifteen (15) suits were instituted to set aside summary awards for arrears of rent.

341. The total amount or value of the original suits and appeals pending on the 1st January 1840, was as follows:

	Original Suits.	*Appeals.*	*Total.*
Before the Judge, ...	21484	28630	50114
Ditto P. S. Ameen, ...	159613	2948	162561
Ditto S. Ameen,.....	22923	0	22923
Ditto Moonsiffs,.....	70999	0	70999
Total,.....	275019	31578	306597

342. The Court observe, for the Judge's future guidance, that the entries in memorandum B of his statement No. 1, explanatory of the discrepancy between columns 4 and 6, have all been entered in the wrong column.

MISCELLANEOUS CASES.

343. The miscellaneous file of the district of Nuddea on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	506	250
Ditto P. S. Ameen, ...	287	316
Ditto S. Ameen, ...	204	187
Ditto Moonsiffs, ...	1674	1630
	2671	2383

being a reduction of 288 cases. The Judge had very few cases of importance before him, with the exception of 26 cases of summary appeal under the provisions of Regulation VII. 1825. Of 39 applications for the admission of special appeals, 23 were complied with.

344. The miscellaneous files of the Native Judges are not generally heavy. There are a great number of cases of old standing, but they are chiefly applications for the execution of decrees. This remark, however, does not apply to the court of the Moonsiff of Hunra, who had cases of more than a year's standing under every head on his file. The Judge will be requested to call the Moonsiff's attention to these cases.

345. The marginal statement* shews the number and mode of disposal of appeals, in miscellaneous cases, from the orders of the Judge and Principal Sudder Ameen, preferred direct to the Sudder Court.

* Pending, ...		10
Preferred,.....		22*
		32
Confirmed,.....	11*	
Modified or reversed, ...	4	
Dismissed on default, ...	2	
Pending,.....	15	
		32

* One from the decisions of the P. S. Ameen.

346. The marginal statements* shew the number of applications for the execution of decrees, pending before the several courts of the district at the close of the year under review, together with the years in which those applications were preferred. Of the number disposed of, 1101 were completely executed or adjusted between the parties.

* Pending of 1838, ...		1922
Preferred in 1839,.....		2111
		4033
Disposed of, ...		2355
		1678
Before 1835,...	62	
In 1835,...	18	
1836,...	32	
1837,...	91	
1838,...	373	
1839,...1102		
		1678

GENERAL REMARKS.

347. The statements for this district, which were forwarded with Mr. Brown's letter of the 2d March last, have not been prepared with sufficient attention to the Circular Order of the Court, No. 28, dated 7th December 1838, to which the attention of the Judge should be particularly directed in preparing his future periodical returns. The business in the several courts of the district is not by any means heavy. The Court, however, observe that the regular file of the Judge had considerably increased at the close of the year, as compared with the corresponding period of the preceding year. This was probably unavoidable with reference to the indisposition and absence of the Judge, but the Court apprehend that the consequence has been rather an inefficient control over the proceedings of the Native Judges. The appeals from the decisions of the Sudder Ameen and Moonsiffs were decided, with very few exceptions, by the Principal Sudder Ameen. This is to be regretted, as the miscellaneous file of the Judge at the commencement of the year might have enabled him, under other circumstances, to have taken up the majority of these cases himself. The Court expect to see a more favorable return from the Judge's court on the receipt of the returns for the current year.

Zillah Patna.

348. The regular file of the district of Patna on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	69	87
Ditto P. S. Ameens, ...	245	268
Ditto Moonsiffs, ...	461	470
	775	825

being an increase of 50 suits.

349. The number of original suits and appeals filed during the years 1838 and 1839, respectively, was as follows:

	1839.	1840.
Before Judge, ...	694	646
Ditto Moonsiffs, ...	1017	1002
	1711	1648

being a decrease of 63 suits.

350. The marginal statement* shews the years in which the suits pending at the close of the year, were instituted. The reasons given for the delay in the disposal of old cases, with the exception of those which have been remanded for re-investigation, are not generally satisfactory.

* 1833.....	1
1834,.....	1
1835,.....	5
1836,.....	8
1837,.....	17
1838,.....	64
1839,.....	729
	825

Not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge,.....	0	1	2	3
„ P. S. Ameens, ...	8	114	0	122
Total...	8	115	2	125

351. The marginal statement shews the suits retained on the files of the higher courts, which, with reference to their amount or value, were triable by the courts of inferior jurisdiction. The Judge states that the suits for value below 1000 rupees on his file, have been brought before him in consequence of the parties being relations of both the Principal Sudder Ameens. He will be requested to state whether he has satisfied himself that the relations of one Principal Sudder Ameen (a Hindoo,) have actually preferred an action against the relations of the other (a Mahomedan.) With reference to the suits in which the documentary evidence is in English, the Judge will be referred to the Circular Order of the 18th October 1839. There is one case above the value of 10,000 rupees on the Judge's file, which is satisfactorily accounted for. There being no Sudder Ameen in the district, the reasons given for the retention of the suits on the files of the Principal Sudder Ameens, are sufficient.

352. Mr. R. E. Cunliffe officiated as Judge of Patna from the 1st January to the 7th October, on which day he was relieved by Syud Imdad Ally, who discharged the current duties of the office to the end of the year. Mr. Cunliffe sat 140 days in the civil court, and disposed of 223 suits in the manner noted in the margin.* The Court are happy to observe that of the number decided on trial, 120 were appeals from the decisions of the Moonsiffs. In one case of regular appeal to the Sudder Court from the decisions of Mr. Cunliffe, the decree passed by him was confirmed.

* Decided on trial, ...	209
Dismissed on default,...	11
Adjusted or withdrawn,	3
Total...	223

353. The first Principal Sudder Ameen, Ajodhea Pershad Tewarree, disposed of 221 suits in the manner noted in the margin.* There were 20 appeals from the decisions of this officer pending at the close of the year 1838, and 75 were preferred during the year 1839, making a total of 95, which were dealt with in the manner

* Decided on trial,.....	200
Dismissed on default,...	6
Adjusted or withdrawn,	15
	221

noted in the margin.† The result is very creditable to the Principal Sudder Ameen.

† Confirmed, ... 47
Reversed or modified.... 13
Dismissed on default, 1
Adjusted or withdrawn, 3
Transferred to Shahabad, ... 2
Pending, ... 29
Total... 95

354. The office of additional Principal Sudder Ameen was held by Syud Imdad Ally. This officer disposed of 153 suits in the manner noted in the margin.* The number of appeals from his decisions pending at the close of the year 1838, the number admitted in 1839, and the manner of their disposal, are similarly noted.† Four‡ appeals from the decisions of the Principal Sudder Ameens, preferred direct to the Sudder Court, were pending on the file of the Court at the close of the year.

* Decided on trial..... 139
Dismissed on default,... 5
Adjusted or withdrawn, 9
Total... 153

† Pending of 1838,..... 2
Admitted in 1839, ... 26
28

Confirmed,..... 10
Modified or reversed, 10
Dismissed on default,..... 1
Pending,..... 7
28

‡ 1st P. S. Ameen, ... 2
Additional do. do 2
4

355. Both the Principal Sudder Ameens have conducted the duties of their offices in a very creditable manner, as shewn by the statements, and the following extract from the report of Mr. Cunliffe recorded on the occasion of his leaving the district:—"I have every reason to be satisfied with the amount of work performed, and the quality of the decisions of the Principal Suddor Ameen, Ajodheapershad Tewaree; and although the number of appeals from the decisions of the Additional Principal Sudder Ameen, Syud Imdad Allee, reversed, nearly equals those confirmed, I cannot refrain from adding my testimony to those of my predecessors to the ability, zeal, and activity of that officer. Comparatively few appeals, I believe, (for I write at Midnapore and without the power of referring to records,) are instituted from his decisions, though he has been called upon to decide the more difficult and more important suits. The disposal of the great mass of miscellaneous business has been entrusted to him, and most efficiently and rapidly has it been performed, the amount of which the Court will observe on the receipt of the annual statements."

356. The Moonsiffs of Patna disposed of 1030 suits in the manner noted in the margin.* The statement of appeals from the decisions of these officers is similarly given.† The result is creditable to the Moonsiffs generally, but specially to Anund Misr, Moonsiff of Patna.

* Decided on trial, ... 789
Dismissed on default, 63
Adjusted or withdrawn, 178
1030

† Pending of 1838, ... 48
Admitted in 1839,..... 235
283

Confirmed, ... 145
Reversed or modified, ... 49
Dismissed on default,..... 11
Adjusted or withdrawn, ... 1
Pending, ... 77
283

357. Mr. Cunliffe gives the following favorable report of the Moonsiffs of this district:—"Anund Misr, Moonsiff of the city, is an active officer, who disposes of a considerable amount of business in a satisfactory manner. The same remarks apply to Tuharutool Touheed, Moonsiff of the eastern division; and their decisions are generally good. The amount of suits decided by Soojad Ulee Khan, Moonsiff of the western division, is much smaller, arising from fewer being instituted in his division, but I latterly obtained the sanction of the Court to transfer a number of suits to his file from that of the city Moonsiff: his decisions are good, and his abilities and intelligence are such that I have no doubt he would give great satisfaction in a higher office."

358. Two suits were pending before the Collector under the provisions of Section 30, Regulation II. of 1819. No suits were tried with the aid of assessors —33 suits were instituted to set aside summary awards for arrears of rent.

359. The aggregate amount or value of the original suits and appeals pending on the 1st January 1840, was as follows:

	Original Suits.	*Appeals.*	*Total.*
Before Judge, ...	44572	35945	80517
„ P. S. Ameen,.....	1223055	1564	1224619
„ Moonsiffs, ...	27856	0	27856
Total	1295483	37509	1332992

MISCELLANEOUS CASES.

360. The miscellaneous file of the district of Patna on the 1st January 1839 and the 1st January 1840, respectively, was as follows:

	1839.	1840.
Before Judge, ...	56	371
Ditto P. S. Ameens, ...	481	766
Ditto Moonsiffs, ...	99	290
	636	1427

being an increase of 791 cases, or more than double the file of the preceding year. The cause of this increase has not been explained; the absence of the Judge during the last three months of the year, will only account for the increase in his court.

361. The cases of most importance on the file of the Judge at the close of the year are shewn in the margin.* Of 16 applications for the admission of special appeals, disposed of by the Judge, 8 were admitted and 8 rejected. The Court observe that no less than 64 applications for the admission of reviews of judgment were disposed of by the Judge. Of these 60 were rejected, which tends to shew that a great many of the applications were made on frivolous or insufficient grounds. The Judge will be requested to state whether the provisions of Section 2, Regulation II, 1825, are enforced in his district.

* Reviews of judgment, 53
Applications of special appeal, ... 12
Summary appeals under Sec. 8, Reg XXVI. 1814, and Act XXII. 1838.... 8
Ditto under Regulation VII. 1825, ... 56
Execution of decrees, 0

362. The Court observe that a large quantity of miscellaneous work was disposed of by the Additional Principal Sudder Ameen, Syud Imdad Ally, and, as reported by the Judge, in his usual satisfactory manner.

363. There were 17 miscellaneous appeals from the orders of the Judge, pending before the Sudder Court at the close of 1838, and 52 were preferred in 1839, making a total of 69. They were dealt with as shewn in the margin.* A statement is also given† of the appeals preferred direct to the Sudder Court from the orders of the Principal Sudder Ameen in miscellaneous cases.

* Confirmed,	35
Reversed or modified,	9
Dismissed on default,	5
Pending,	20
	69

† Pending of 1838,	3
Preferred in 1839,	1
	4
Confirmed,	2
Reversed or modified,	1
Dismissed on default,	1
	4

364. The marginal statement* shews the number of applications for the execution of decrees, and the years in which the applications pending at the close of the year, were instituted. The balance at the close of the year had considerably increased, as compared with the corresponding period of the preceding year, notwithstanding that the number of applications preferred in 1839 fell far short of that preferred in 1838.

* Pending of 1838,	429
Admitted in 1839,	1389
	1818
Disposed of,	1089
Balance,	729

Before 1835,	3
In 1835,	7
„ 1836,	15
„ 1837,	43
„ 1838,	131
„ 1839,	530
Total...	729

GENERAL REMARKS.

365. The statements for the district of Patna, which have been carefully prepared, were submitted by the present Judge, Mr. Smelt, with his letter of the 18th February last, with which he also forwarded Mr. Cunliffe's report on the official character and qualifications of the Native Judges. The Court are satisfied with the manner in which Mr. Cunliffe discharged the duties of his office, and with the general state of the several courts of the district. The miscellaneous business of the district has materially increased, and will require the unremitting attention of the Judge and Principal Sudder Ameens to reduce it.

Zillah Purneah.

366. The regular file of the district of Purneah on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge,	80	104
Ditto P. S. Ameen,	213	147
Ditto S. Ameen,	77	58
Ditto Moonsiffs,	2281	2174
	2651	2483

being a decrease of 168 cases.

367. The number of original suits and appeals instituted in the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judge,	667	667
Ditto Moonsiffs,	6096	5301
	6763	5968

showing a decrease of 795 suits, which has taken place entirely in the courts of the Moonsiffs. No cause for this decrease has been assigned.

* 1837,	14
1838,	183
1839,	2286
	2483

368. The statement in the margin* shews the years in which the suits pending at the close of the year, were instituted, and is considered very satisfactory.

Not exceeding	300 Rs.	5000 Rs.	Total.
Before Judge,	0	1	1
„ S. Ameen,	28	0	28
Total,	28	1	29

369. The marginal statement* shews the number of suits retained on the files of the higher courts, which, with reference to their amount, were triable by the courts of inferior jurisdiction. With reference to the suit retained by the Judge in consequence of the documentary evidence being in English, he will be referred to the Circular Order of the 18th October 1839. There were also 4 cases above the value of 10,000 rupees on the Judge's file, for the retention of which no reasons have been assigned; and in the absence of any special reasons, they should have been referred to the Principal Sudder Ameen. The reasons given for the retention of the suits below 300 rupees on the file of the Sudder Ameen, are sufficient.

Days.	
* Civil court,	180
Sessions and criminal duties,	40
Sundays and Holidays,	125
Absence from indisposition,	20
Total...	365

370. Mr. J. F. Cathcart was Judge of Purneah during the year 1839. His time was disposed of in the manner noted in the margin.* During the period that Mr. Cathcart sat in the civil court, he disposed of 188 suits in the manner noted in the margin.† Of the number of cases disposed of on trial, 109 were appeals from the decisions of the Moonsiffs. One special appeal from the decisions of Mr. Cathcart preferred to the Sudder Court, was pending at the close of the year.

† Decided on trial,	175
Dismissed on default, ..	10
Adjusted or withdrawn,	3
	188

* Decided on trial,	369
Dismissed on default,	11
Adjusted or withdrawn,	17
Total...	397

371. The Principal Sudder Ameen, Moolvee Rooknooddeen, disposed of 397 suits in the manner noted in the margin.* There were 23 appeals from his decisions pending at the close of the year 1838 before the Zillah Judge, and 30 were admitted during the year 1839, making a total of 53, which were dealt with in the manner noted in the margin.† Of the number of decisions reversed or modified, 10 were cases of special appeal. Three (3) appeals from the decisions of this officer preferred direct to the Sudder Court, were still pending at the close of the year. Of the Principal Sudder Ameen, Mr. Cathcart makes the following remarks,

† Confirmed,	18
Modified or reversed,	14
Dismissed on default,	1
Pending,	20
Total...	53

in which the Court concur: "The above shows that this officer has strenuously exerted himself during the year, and has got through a considerably greater quantity of business than the average expected of him; and the quality, as shewn by the result in appeals, is very good. The execution of decrees in his court is speedy and effective. I consider him an able and active officer."

372. The Sudder Ameen, Lukheenarain Nyalunkar, who is also Moonsiff of Purneah, disposed of 718 cases in his two offices, in the manner noted in the margin.* The number of appeals from his decisions pending at the close of the year 1838, the number instituted in 1839, and the results, are given in the margin.† The results on the whole are satisfactory, and creditable to the Sudder Ameen both as regards the quantity and quality of his work.

	Sudder Ameen.	Moonsiff.	Total.
* Decided on trial,.....	123	333	456
Dismissed on default,.....	21	128	149
Adjusted or withdrawn, ...	19	94	113
	163	555	718
† Pending of 1838,.....	47	33	80
Admitted in 1839, ...	64	65	129
	111	98	209
Confirmed, ...	44	48	92
Reversed or modified,.....	30	18	48
Dismissed, ...	1	5	6
Adjusted or withdrawn,...	3	1	4
Pending, ...	33	26	59
Total	111	98	209

373. The Moonsiffs of Purneah, including Lukheenarain Nyalunkar, disposed of 5,429 suits in the manner noted in the margin.* The statement of appeals from their decisions is similarly given.† The results are considered satisfactory. The Judge speaks highly of the three following officers, all of the 1st grade, and the statements fully support his opinion:

1st. Shamlall Roy, Moonsiff of Dundkhorah;

2d. Itrut Hussein, Moonsiff of Gondwarah;

3d. Mr. Noney, Moonsiff of Kishengunge.

* Decided on trial, ... 2929
Dismissed on default, 532
Adjusted or withdrawn, 1968
Total... 5429

† Pending of 1838,..... 199
Admitted in 1839,..... 391
590

Confirmed, ... 293
Reversed or modified, ... 118
Dismissed on default, ... 16
Adjusted or withdrawn, ... 4
Pending, ... 159
590

374. There were no cases pending before the Collector under the provisions of Section 30, Regulation II. 1819. No suits were tried with the aid of assessors under the provisions of Regulation VI. 1832. Forty-seven suits were instituted to set aside summary decrees for rent.

375. The aggregate amount or value of the original suits and appeals pending on the 1st January 1840, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	244976	24037	269013
Ditto P. S. Ameen,.....	726269	12084	738353
Ditto S. Ameen,.....	20096	0	20096
Ditto Moonsiffs,.....	73956	0	73956
Total	1065297	36121	1101418

MISCELLANEOUS CASES.

376. The miscellaneous file of the district of Purneah on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before the Judge, ...	83	54
„ P. S. Ameen, ...	74	118
„ S. Ameen, ...	43	49
„ Moonsiffs, ...	754	606
	954	827

shewing a decrease of 127 cases.

377. With the exception of applications for the admission of special appeals, there were no cases of any importance on the file of the Judge. Of 52 applications of this nature, disposed of by the Judge during the year, 18 were admitted. The files of the several courts are light, and in very satisfactory state; the whole of the few cases above one year's standing, being applications for the execution of decrees.

* Pending of 1838,.....	3	
Preferred in 1839, ...	17	
		20
Confirmed, ...	3	
Reversed or modified, ...	1	
Dismissed on default,.....	2	
Pending, ...	14	
		20

378. The marginal statement* shows the number of appeals in miscellaneous cases from the orders of the district Judge. One appeal from a miscellaneous order of the Principal Sudder Ameen preferred direct to the Sudder Court, remained on the Court's file at the close of the year.

* Pending of 1838, ...	675	
Preferred in 1839,.....	1676	
		2351
Referred to other Courts, ...	139	
		2212
Disposed of during 1839, ...	1499	
Balance,.....		713
In 1837, ...	5	
„ 1838, ...	16	
„ 1839, ...	692	
		713

379. The marginal statement* shows the number of applications for the execution of decrees pending at the close of the year 1838, the number admitted in 1839, and their results, together with the years in which the applications pending at the close of the year, were instituted. The result is satisfactory, especially with reference to the large number of applications which had been entirely executed or adjusted between the parties.

GENERAL REMARKS.

380. The statements for the district of Purneah were submitted with Mr. Cathcart's letter of the 22d January last. They have been carefully prepared, and satisfy the Court that the administration of justice is prompt and efficient in the several courts of the district.

381. The manner in which Mr. Cathcart has conducted the duties of his own court, and superintended those of the subordinate judges, is in every way creditable to him.

Zillah Rajshahye.

382. The regular file of the district of Rajshahye on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	63	87
Ditto P. S. Ameen, ...	109	142
Ditto S. Ameen, ...	63	54
Ditto Moonsiffs, ...	973	713
	1208	996

shewing a decrease of 212 suits.

383. The number of original suits and appeals filed during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judge, ...	407	455
Ditto Moonsiffs, ...	2821	2820
	3228	3275

being an increase of 47 suits.

384. The marginal statement* shows the years in which the suits pending at the close of the year, were instituted. The officiating Judge has referred the Court to the monthly statements for December for the reasons of the delay in disposing of the old cases. The Court observe that the annual statement should have been complete in themselves, and have afforded every requisite information, without the necessity of referring to other documents. The monthly statements shew that the case of 1831 has been decided since the close of the year. The reasons given for the delay in the disposal of the other cases, are generally sufficient.

* 1828, ... 1
1834, ... 1
1835, ... 1
1836, ... 4
1837, ... 10
1838, ... 45
1839, ... 934
906

385. The statement in the margin shows the number of suits retained on the files of the higher courts, which, with reference to their amount, were triable by the courts of inferior jurisdiction. The Court are again referred to the monthly statements for information as to the causes of their retention. The reasons given are not sufficient in all cases, but as orders regarding the cases improperly retained have been already issued to the Judge, on an inspection of the monthly returns, further remarks do not now appear to be called for.

Not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge.....	2	0	1	3
„ P. S. Ameen,	17	7	0	24
„ S. Ameen,...	21	0	0	21
Total.....	40	7	1	48

386. Mr. A. Smelt held the office of Judge of Rajshahye throughout the year 1839, with the exception of the short period from the 12th to the 31st December, during which Mr. A. Lang officiated as Judge. The time of the Judge was employed in the manner noted in the margin.*

	Days.
* Civil court, ...	22
Sessions court, ...	238
Sundays and Holidays,	94
Absent from indisposition, ...	11
	365

387. During the period he sat in the civil court, Mr. Smelt disposed of 27 suits in the manner noted in the margin.* Two (2) special appeals from the decisions of Mr. Smelt, admitted by the Sudder Dewanny Adawlut, remained undecided at the close of the year. Mr. Lang was unable to decide any suits in the civil court owing to the heavy press of criminal duties.

* Decided on trial,	24
Dismissed on default,	2
Adjusted or withdrawn,	1
	27

388. The Principal Sudder Ameen, Moolvee Abdool Allee, disposed of 290 suits in the manner noted in the margin.* The number of appeals from this officer's decisions pending at the close of the year 1838, the number preferred in 1839, and the manner of their disposal, are similarly given.† As observed by Mr. Lang: "The number reversed is one in excess of that confirmed, but the small number of appeals preferred, and the number of cases decided by him on their merits, during the period under review, is satisfactory." One appeal, from this officer's decisions, preferred direct to the Sudder Court, was pending at the close of the year.

* Decided on trial,	232	
Dismissed on default,	51	
Adjusted or withdrawn,	7	
	290	
† Pending of 1838,	16	
Admitted in 1839,	32	
	48	
Confirmed,	6	
Reversed or modified,	7	
Dismissed on default,	2	
Pending,	33	
	48	

389. The Court are happy to observe, that Moolvee Abdool Allee maintains his previous high character as an able and upright judge. The following remarks of Mr. Smelt are highly to the credit of the Principal Sudder Ameen:—"Moulvee Abdool Allee, the Principal Sudder Ameen of this district, stands very high in the estimation of all classes of the community. His character for integrity, justice, and correct judgment, has been repeatedly noticed by his superiors. He has most deservedly attained the highest grade. His decisions are very good, and his attention to business is most praiseworthy; he is I think one of the finest specimens of a Native Judge I have met with."

390. Ramcoomar Chowdry, the Sudder Ameen of Rajshahye and Moonsiff of Bauleah, disposed of 121 suits in the former capacity, in the manner indicated in the margin.* There were 15 appeals from the decisions of the Sudder Ameen pending at the close of the year 1838, and 20 were preferred in 1839, making a total of 35. These were dealt with as noted in the margin.† The result is creditable to the Sudder Ameen, of whom Mr. Smelt speaks in the following terms of commendation. "Ramcoomar Chowdry, Sudder Ameen and Moonsiff of Bauleah, is a very good and hard-working officer. His decisions are good; and, during the whole time I have been at Bauleah, nothing has occurred to prevent my entertaining of him the highest character."

* Decided on trial,	95	
Dismissed on default,	15	
Adjusted or withdrawn,	11	
Total,	121	
† Confirmed,	9	
Reversed or modified,	5	
Dismissed on default,	3	
Adjusted or withdrawn,	1	
Pending,	17	
	35	

391. The Moonsiffs of Rajshahye disposed of 3,098 cases, in the manner noted in the margin.* A statement is also given of the appeals from their decisions. In some instances, as in the cases of Ramlochun Chowdry, Moonsiff of Bauleah, and Bhogbut Churn Goopt, Moonsiff of Shahzadpoor, the results are satisfactory; while, on the other hand, in other instances they are not so, and in the case of one Moonsiff, Shareeutoollah, Moonsiff of Bowannygunge, only one of whose decisions† was confirmed, while 15 were reversed, the result is most unsatisfactory. The officiating Judge states that he has written to this Moonsiff on the subject; and the Court trust, that the returns for the current year will exhibit a manifest improvement in his manner of disposing of cases; otherwise, it will be necessary for the Court to take serious notice of his proceedings.

* Decided on trial,	1545	
Dismissed on default,	533	
Adjusted or withdrawn,	1020	
	3098	
† Pending of 1838,	93	
Admitted in 1839,	224	
	317	
Confirmed,	85	
Reversed or modified,	84	
Dismissed on default,	39	
Pending,	109	
	317	

392. Of the Moonsiffs of Rajshahye, generally, Mr. Smelt observes as follows:—"My time, since I have been at this station, has been so entirely occupied in criminal business, that I have had but little opportunities of becoming acquainted with the character and conduct of the Moonsiffs; but from what I have seen, they all seem well qualified for their situations; and I am happy to observe, there have been no serious complaints against any of them."

393. There were 4 suits under reference to the Collector at the close of the year, under the provisions of Section 30, Regulation II. 1819. No suits were tried with the aid of assessors, under the provisions of Regulation VI. 1832. Twelve (12) suits were instituted to set aside summary decrees for arrears of rent.

394. The total amount or value of the original suits and appeals pending on the 31st December 1839, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge, ...	24892	39223	64115
Ditto P. S. Ameen, ...	144880	12314	157194
Ditto S. Ameen, ...	19928	0	19928
Ditto Moonsiffs,.....	41911	0	41911
Total,.....	231611	51537	283148

395. The miscellaneous file of the district of Rajshahye on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge,.....	182	368
Ditto P. S. Ameen, ...	94	144
Ditto S. Ameen,.....	31	44
Ditto Moonsiffs,.....	319	412
	626	868

shewing an increase of 242 cases.

396. The Judge's miscellaneous file has greatly increased, in consequence of the little time he was able to devote to civil business. There were not, however, many cases of importance pending before him. Of 21 applications for the admission of special appeals, 16 were admitted, which appear to the Court to be a very large proportion, with reference to the high character borne by the Principal Sudder Ameen, and the fact that special appeals are admissible only on points of law or usage.

* Pending of 1838,.....	7	
Preferred in 1839, ...	30	
		37
Confirmed, ...	13	
Reversed or modified, ...	8	
Dismissed on default,.....	1	
Pending, ...	15	
		37

397. The marginal statement* shews the number of appeals preferred to the Sudder Court, from the decisions of the Judge of Rajshahye.

398. The miscellaneous files of the Sudder Ameen and Moonsiffs are light, and call for no particular remark.

* Pending of 1838, ...	376	
Admitted in 1839, ...	1037	
Total,...	1413	
Executed in 1839, ..	978	
Balance,.....	435	
In 1835,.....	1	
„ 1836,.....	1	
„ 1837,.....	9	
„ 1838,.....	41	
„ 1839,.....	338	
	390*	

* Leaving 45 cases unaccounted for.

399. The statements in the margin* shew the number of applications for the execution of decrees, together with the years in which the cases pending at the close of the year, were instituted. The statements call for no particular remark. The Judge will, however, be called upon to explain the discrepancy noticed at the foot of the marginal statement.

GENERAL REMARKS.

400. The statements for the district of Rajshahye were forwarded with Mr. Lang's letter of the 20th February. They have not been very carefully prepared, and the objectionable practice of referring to other statements has been much resorted to.

401. The statements shew that almost the whole of the duties of the higher courts were performed by the Principal Sudder Ameen. This is much to be regretted, for though, in this instance, the work would appear to have been satisfactorily performed by a very able, upright, and intelligent officer, it is always desirable that the Judge should himself personally superintend the conduct of the Native Judges, which he cannot do more effectually than by taking up appeals from their decisions and inspecting their proceedings. The heavy sessions duties rendered this almost impracticable during the past year; but the Court trust that the present Judge, Mr. Udny, will be able to devote a larger portion of his time to the business of the civil court.

402. The small quantity of civil work done by Mr. Smelt, leaves no room for the Court to pronounce any opinion upon his proceedings as a Civil Judge during the period under review. The general administration of civil justice in the district, however, appears to be efficient.

Zillah Rungpore.

403. The regular file of the district of Rungpore on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before the Judge, ...	99	124
Ditto P. S. Ameen, ...	77	125
Ditto S. Ameen, ...	77	74
Ditto Moonsiffs, ...	916	916
	1169	1239

being an increase of 70 suits.

404. The number of original suits and appeals instituted during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judge, ...	699	670
Ditto Moonsiffs, ...	3238	3481
	3937	4151

being an increase of 214 suits.

405. The marginal statement* shews the years in which the original suits and appeals pending on the 1st January last, were instituted. Some of the cases are suits returned after appeal for further inquiry and investigation. The statement is very satisfactory.

* 1833, ... 1
1836, ... 2
1837, ... 2
1838, ... 25
1839, ... 1209
1239

406. The statement in the margin shews the number of suits retained on the files of the higher courts, which, with reference to their amount, might have been referred to the courts of inferior jurisdiction. The reasons given for their retention are sufficient in every instance, with the exception of that of the pauper suits, which, under Clause 5, Section 5, Regulation V. 1831, might have been referred to the Moonsiffs. There were no original suits before the Judge.

Not exceeding	Rs. 300	Rs. 1000	Total.
P. S. Ameen, ...	1	0	1
S. Ameen, ...	42	0	42
Total.....	43	0	43

407. Mr. T. A. Shaw held the office of Civil and Session Judge of Rungpore from the beginning of the year to the 4th October. Mr. N. Smith performed the current duties from the 4th October to the 12th December, when he was succeeded by Mr. Onslow, who officiated as Judge to the close of 1839. The Judge's court was

closed for 147 days on account of authorised holidays, and the absence of a Judge from the district. The time occupied by Messrs. Shaw and Onslow in disposing of civil suits during the year was 138 days.

* Decided on trial.....	172
Dismissed on default....	5
Adjusted or withdrawn,	4
Total...	181

408. Mr. Shaw disposed of 181 suits in the manner noted in the margin.* Two special appeals from Mr. Shaw's decisions, admitted by the Sudder Court, remained on the Court's file at the close of the year.

409. In consequence of the absence on leave of the late Principal Sudder Ameen, Syud Jonab Ally, and his subsequent removal to another district, the court of the Principal Sudder Ameen was closed from the 1st January to the 13th May. On that day the present Principal Sudder Ameen, Syud Sudrool Hossein, late Sudder Ameen of Sylhet, joined his appointment. He disposed of 181 suits in the manner noted in the margin.* There were 12 appeals from his decisions, but none of them were taken up by the Judge during the period under review.

* Decided on trial.....	147
Dismissed on default....	26
Adjusted or withdrawn,	8
	181

410. The Sudder Ameen, Munneerooddeen Sufdur, disposed of 267 cases in the manner noted in the margin.* There were 5 appeals from his decisions pending at the close of 1838, and 80 were preferred in 1839, making a total of 85, which were dealt with in the manner noted in the margin.† The number of appeals from this officer's decisions, disposed of by the appellate authorities, was very small, and precludes the Court from recording any decisive opinion on the merits of the Sudder Ameen as a judicial officer. The business in the office of the Sudder Ameen being light, the Court have appointed that officer to be also Moonsiff of Rungpore.

* Decided on trial,.....	210
Dismissed on default,....	46
Adjusted or withdrawn,	11
	267
† Confirmed,.....	15
Reversed or modified,....	7
Adjusted,.....	1
Pending,.....	62
Total	85

411. The Moonsiffs of Rungpore disposed of 3491 suits in the manner exhibited in the margin.* A statement of appeals from their decisions is also given.† The results are very creditable to those officers, especially to Loknath Bose, Moonsiff of Rungpore, and Gholam Ghous, Moonsiff of Waleepore.

* Decided on trial, ...	2170
Dismissed on default,	415
Adjusted or withdrawn,	906
	3491
† Pending of 1838.....	75
Admitted in 1839, ...	277
	352
Confirmed, ...	147
Reversed or modified, ...	71
Dismissed on default,.....	19
Pending, ...	115
	352

412. Three (3) suits were pending before the Collector, at the close of the year, under the provisions of Section 30, Regulation II. 1819. Out of 48 cases tried with the aid of assessors, 46 were decided in accordance with their opinion. The Court observe that the Judge has omitted to fill up the memorandum E in his statement No. 1, shewing the number of cases thus disposed of. It would have been satisfactory to the Court to have been informed of the class of persons generally called in as assessors in Rungpore: to this point the Judge's attention should be particularly directed in submitting his returns for the current year. Fifteen (15) cases were instituted to set aside summary awards for arrears of rent.

413. The total amount or value of the original suits and appeals pending at the close of the year before the several courts, was as follows:

	Original Suits.	*Appeals.*	*Total.*
Before the Judge, ...	0	41168	41168
Ditto P. S. Ameen, ...	376506	7081	383587
Ditto S. Ameen,.....	21612	0	21612
Ditto Moonsiff, ...	41333	0	41333
Total.....	439451	48249	487700

MISCELLANEOUS CASES.

414. The miscellaneous file of the district of Rungpore on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	166	277
Ditto P. S. Ameen, ...	59	103
Ditto S. Ameen, ...	67	80
Ditto Moonsiffs, ...	331	431
	623	891

shewing an increase of 268 cases.

415. The marginal statement* shews the cases of most importance on the file of the Judge. Owing to the absence of the Judge during a considerable portion of the year, the list has considerably increased since the close of the preceding year, and should be at once attended to. The number of appeals to the Sudder Court from orders passed in miscellaneous cases, is noted in the margin.† The result is very creditable to Mr. Shaw. The files of the Native Judges are light, and call for no particular remark. The Court are happy to observe that there were only 14 cases which had been pending above one year, and some of those were applications for the execution of decrees.

* Reviews of judgment, 5
Applications for admission of special appeals, ... 32
Summary appeals under Sec. 4, Reg. XXVI. 1814, and Act XXII. 1838, 10
Ditto ditto under Regulation VII. 1825, 10
Execution of decrees, 3
60

† Pending of 1838, ... 4
Preferred in 1839,..... 13*
17

Confirmed, ... 11
Reversed or modified, ... 3
Pending, ... 3*
17

* One from the order of the Principal Sudder Ameen.

* Pending of 1838, ...	379
Admitted in 1839,.....	1739
	2118
Disposed of	1572
	546
Deduct 56 cases of the Judge's file referred to the Principal Sudder Ameen, and 15 to the Sudder Ameen,.....	71
	475
In 1837, ... 2	
1838, ... 4	
1839, ... 469	
—	475

416. The marginal statement* shews the number of applications for the execution of decrees which were pending at the close of the year 1838, the number preferred in 1839, and the number disposed of, together with the years in which the pending cases were instituted. The result is very satisfactory.

GENERAL REMARKS.

417. The statements for this district were forwarded by the officiating Judge, Mr. Onslow, with his letter of the 26th February last. They have been prepared with considerable care and attention, and show that the administration of civil justice in Rungpore is prompt and efficient. The duties of the Judge's office were effectively performed by Mr. Shaw. The Court rely on Mr. Onslow's exertions to reduce the slight increase which appears on the file of his court as compared with the year preceding.

418. The letter of the officiating Judge contains no particular report of the official character and qualifications of the Native Judges. Mr. Onslow, however, has submitted the following opinion of Mr. Shaw on the general proceedings of those officers, which the Court consider to be corroborated by the returns under examination.

"The conduct of the whole of the native judicial officers has been praiseworthy, their characters are unimpeached, and, there is reason to believe, perfectly correct. Some are highly qualified, and the whole of them sufficiently capable; none of them have been suspended or removed from office.

"In the annual report for 1838 the following three were stated as the most zealous, capable, and trustworthy Moonsiffs, and judging from the little experience that I have had, I am inclined to agree with my predecessor, and consider the Sudder Moonsiff, Loknath Bose, in particular, to be a zealous and intelligent functionary, well versed in English, and a well educated man.

1st. Loknath,
2d. Ukbur Ulee,
3d. Gholam Ghous.

Zillah Sarun.

419. The regular file of the district of Sarun on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	134	76
Ditto P. S. Ameen, ...	118	175
Ditto S. Ameen, ...	63	47
Ditto Moonsiffs, ...	496	439
	811	737

shewing a decrease of 74 suits.

420. The number of original suits and appeals filed during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before the Judge, ...	368	452
Ditto Moonsiffs, ...	1163	1063
	1531	1515

being a decrease of 16 suits.

421. The marginal statement* shews the years in which the suits pending at the close of the year were filed. The result is favorable as compared with the similar return of the preceding year. The cases of 1828, 1835, and two of those of 1837, were re-admitted on the file between the months of April and November 1839, in consequence of a review of judgment having been authorised.

* 1828, ... 2
1835, ... 2
1837, ... 3
1838, ... 44
1839, ... 686
737

422. There were no regular suits on the file of the Judge; none below the value of 1000 rupees on the file of the Principal Sudder Ameen; and only seven (7) below the value of 300 rupees on that of the Sudder Ameen. The reasons given for the reference of these to the Sudder Ameen are quite sufficient.

423. Mr. C. G. Udny officiated as Judge of Sarun from the 1st to the 20th January. From that date to the close of the year, Mr. H. Nisbet was Judge of the district. Mr. Nisbet sat 118 days in the civil court, during which he disposed of 107 cases in the manner noted in the margin.* One special appeal from the decisions of Mr. Nisbet, preferred to the Sudder Court, remained on the file of the Court at the close of the year.

* Decided on trial,..... 104
Dismissed on default,... 1
Adjusted or withdrawn, 2
107

424. The Principal Sudder Ameen, Syud Fuzl-ool-Huq, disposed of 258 suits in the manner stated in the margin.* There were 50 appeals from the decisions of this officer pending on the Judge's file at the close of the year 1838, and 63 were admitted in the year 1839, making a total of 113, which were dealt with in the manner noted in the margin.† Of 11 appeals preferred direct to the Sudder, 2 were struck off on default, and the rest remained on the Court's file at the close of the year. In regard to the official proceedings and character of the Principal Sudder Ameen, Mr. Nisbet makes the following observations. "Of thirty decisions by the present Principal Sudder Ameen reversed in appeal, twenty-three were special appeals, which confirms what I had before remarked, that Native Judges make better decisions when trying cases in the first instance, than when deciding on them in appeal. But perhaps this is not peculiarly the case with them; for no doubt it is easier to pass the first judgment in a matter, than to estimate justly the value of another person's opinion of it. I consider Moulvee Fuzl-ool-Huq as well deserving the confidence and good opinion of all who are connected with him. He applies himself closely to his public duties, and appears to spare no pains in his investigations, which are for the most part good." The favorable testimony borne by the Judge to the zeal and integrity of Moulvee Fuzl-ool-Huq, is highly creditable to that officer. The Court will have occasion to notice, at the close of their report, the subject of special appeals from the decisions of the Principal Sudder Ameens, adverted to by Mr. Nisbet.

* Decided on trial,.....	222
Dismissed on default,...	30
Adjusted or withdrawn,	6
	258
† Confirmed, ...	27
Reversed or modified,	30
Adjusted or withdrawn,	1
Pending, ...	55
Total...	113

425. Mr. E. DaCosta held the offices of Sudder Ameen of Sarun and Moonsiff of Chupra from the commencement of the year to the 20th September, when he was appointed additional Principal Sudder Ameen of the district. In the latter appointment he tried no regular suits or appeals. As Sudder Ameen and Moonsiff Mr. DaCosta disposed of 501 suits in the manner noted in the margin.* A statement† of appeals from Mr. DaCosta's decisions is also given. The results are extremely creditable to Mr. DaCosta, regarding whom Mr. Nisbet makes the following remarks:

	Sudder Ameen.	Moonsiff.	Total.
* Decided on trial,.....	98	305	403
Dismissed on default,...	1	40	41
Adjusted or withdrawn,	13	44	57
	112	381	501
† Pending of 1838,.....	25	33	58
Admitted in 1839, ...	29	86	115
	54	119	173
Confirmed, ...	22	52	74
Reversed or modified,...	8	7	15
Dismissed on default,...	2	2	4
Pending, ...	22	58	80
	54	119	173

"With reference to the number of appeals admitted in 1839 from Mr. DaCosta's decisions as Moonsiff, it is but right to observe that 32 of the cases in which his judgment is appealed against, refer to one cause of action, namely, claims for rent preferred by an auction purchaser against a numerous body of persons in possession of subordinate tenures within the limits of his purchase.

"I have great pleasure in adding a further encomium to the already recorded merits of Mr. DaCosta. He is a valuable officer, and in every respect entitled to high consideration. His judgment is good, his zeal unwearied. Independent of his regular duties, I have benefited to a considerable extent by his willing and effectual aid in several matters connected with my official labors during the past year. Mr. DaCosta by his recent appointment to act as additional Principal Sudder Ameen,

and to apply himself chiefly to the execution of decrees, has been tasked with a branch of the civil business which will give full scope to his assiduity and capacity for business; and I make no doubt that the value of his services will appear here as it has done heretofore."

426. The Court observe, from an examination of the statements, that Mr. DaCosta is carrying on the regular business of the Sudder Ameen's court in *that* capacity, while he is transacting miscellaneous business as additional Principal Sudder Ameen. They consider that this practice should be discontinued; as since the date of his appointment as additional Principal Sudder Ameen, Mr. DaCosta was fully competent to discharge the duties of a Principal Sudder Ameen in the regular as well as in the miscellaneous department of his court.

427. The Moonsiffs of Sarun disposed of 1120 suits in the manner noted in the margin.* There were 80 appeals from their decisions pending at the close of the year 1838, and 180 were admitted in 1839, making a total of 260, which were dealt with in the manner noted in the margin.† As the number of appeals from Mr. DaCosta's decisions in his capacity of Moonsiff, which have been already noticed, are included in the marginal statement, no further observations appear to be called for.

* Decided on trial, ... 865
Dismissed on default, 107
Adjusted or withdrawn, 148
Total,... 1120

† Confirmed, ... 81
Modified or reversed.... 35
Dismissed on default,... 20
Adjusted or withdrawn, 3
Pending, ... 121
260

428. Of the four Moonsiffs of the district of Sarun, Mr. Nisbet remarks as follows:

"Pundit Dataram is new in office in the capacity of Moonsiff; but he has given sufficient proof of his intelligence and activity in other situations, to encourage the belief that he will be an efficient judicial officer.

Dataram Pundit, Moonsiff of Chuprah.

"The statement of the work done by Mr. McDonald, is, I think, in every way creditable to him, and I have the satisfaction of expressing my belief that he is a very useful and deserving officer.

Mr. McDonald, Moonsiff of Pursah.

"I am incapable of giving any decisive opinion of Furhat Hossein's merits, the period is so brief which I have had for judging of them. A further extension of the trial of his official character will, I hope, establish its value.

Syud Furhat Hossein, Moonsiff of Sewan.

"Mr. Boilard has decided a fair proportion of suits, which implies application to his duties. The opinion, however, which I have formed of Mr. Boilard's public character does not rank him very high as a judicial officer. At the same time, I will not say but that increased age and experience may develope higher qualifications. I believe that he is anxious to give satisfaction.

Mr. Boilard, Moonsiff of Chumparun.

"Of the four Moonsiffs employed in this district, two are new, and of their relative merits no certain opinion can be given. Respecting Mr. Boilard my judgment is above recorded. Mr. McDonald remains. I think him qualified to conduct with effect the duties now entrusted to him, but I am not prepared to say that he has established any claim to immediate promotion."

429. There were no suits under reference to the Collector, under the provisions of Section 30, Regulation II. of 1819. No suits were tried with the aid of assessors. Fifty-three (53) suits were instituted to set aside summary decrees for arrears of rent.

430. The total amount or value of the original suits and appeals pending on the 1st January 1840, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	0	140820	140820
Ditto P. S. Ameen, ...	342981	25752	368633
Ditto S. Ameen, ...	25830	0	25830
Ditto Moonsiffs,.....	37941	0	37941
Total	406652	166572	573224

MISCELLANEOUS CASES.

431. The miscellaneous file of the district of Sarun on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	630	186
Ditto P. S. Ameens,.....	849	628
Ditto S. Ameen, ...	90	96
Ditto Moonsiffs,.....	451	458
	2020	1368

being a decrease of 652 cases, which is considered satisfactory.

432. With the exception of 59 applications for the execution of decrees, there were no cases of any importance on the Judge's file. The files of the Principal Sudder Ameens are still very heavy, consisting chiefly of applications for the enforcement of decrees. The files of the Sudder Ameen and Moonsiffs call for no particular remark.

433. The marginal statement* shews the number of appeals from the orders of the Judge passed in miscellaneous cases to the Sudder Court. Four appeals from the orders of the Principal Sudder Ameen, remained on the Court's file at the close of the year.

* Pending of 1838,..... 3
Admitted in 1839,..... 55
58

Confirmed, ... 18
Modified or reversed, ... 8
Dismissed on default,..... 1
Pending, ... 31
58

434. The marginal statements* shew the number of applications for the execution of decrees pending at the close of 1838, the number admitted in 1839, and the number disposed of, together with the years in which the pending applications were instituted.

* Pending of 1838, ... 909
Admitted in 1839,..... 1099
2008
Executed in 1839,..... 1062
946

Before 1834, ... 26
In 1834, ... 33
1835, ... 32
1836, ... 59
1837, ... 86
1838, ... 218
1839, ... 492
946

435. In regard to the execution of decrees, of which there are numerous cases of old standing still pending on the files of the courts of this district, Mr. Nisbet makes the following observations: "This is the department of business that lags most in every court. It costs more time, progress is slower, and the result is less satisfactory than in any other branch of the duty we have to perform. The process of execution can only be got through by constant and close application. It is a business of many steps and stages, from the first presenting of the petition for enforcement down to the realization of the last forthcoming fraction of the decree-holder's due; and unless the process is kept up vigorously, and the perseverance and resource of the Judge keep pace with the arts and evasions of the party doomed to pay, the issue is almost hopeless. I should say that this is a duty which ought to be the undisturbed and exclusive occupation of a diligent and energetic officer; and that when just taken up in the routine of other matters, and receiving only an occasional portion of attention, it can *never* progress effectually." The Court observe that the attention of Mr. DaCosta, the additional Principal Sudder Ameen, is directed to the disposal of these cases; and the Court trust to see a great reduction in their number on the receipt of the returns for the current year.

436. The evils adverted to by Mr. Nisbet, in the following extracts from his letter submitting the returns, are found to exist, in a greater or less extent, in all the districts subordinate to the Court's jurisdiction. The remedies suggested by Mr. Nisbet, bearing, as they do, upon the general and important subject of the system of fiscal administration in the permanently settled provinces, cannot be incidentally considered in a report of this nature.

"The state of the revenue mehals in this district is a great obstruction to the execution of decrees. Landed property is almost the only source for obtaining the satisfaction of pecuniary awards, and the state of such property in this district would seem to be precarious and confused in an eminent degree. The revenue mehals are large, the proprietors numerous and independent of one another, and a fraction of arrear to Government in the whole lot causes the sale of the entire mehal. There may be 40 villages, and 40 distinct and unconnected proprietors and for the defalcation and dishonesty of one of these, the whole property is sold, and a number of innocent people deeply injured. The natives are all improvident and thoughtless, otherwise it may be said why do they not secure themselves from

this risk, by obtaining a Butwarrah?—I would not leave it to their *choice*,—I would make it imperative; and it would be a blessing to the country if a law were passed to this effect, and the old stale arrangements of the decennial settlement were remodelled and adjusted.

"Another great evil is the authority which the Collector assumes to lay his hands on the produce of a *decree* sale, to liquidate a balance of revenue in the mehal sold;—or it may be when only a village, a *portion* of the mehal, is brought to sale and the arrear is not due by the individual liable under the decree, but some one else who is a recorded proprietor of the entire mehal, still the Collector deems himself entitled to appropriate the sale proceeds. This also should be put a stop to.

"In addition to these evils, is another of almost invariable occurrence. No sooner is it known that a revenue estate is in attachment for a decree of court, or about to be attached, than the proprietor of it ceases to pay any more revenue. The consequence is, as the Collector states, that a revenue mehal can never be considered as in a condition to sell in satisfaction of a decree; for it is *always* in balance to Government at the time of sale. It would tend to remedy this, if the court were authorised to attach such estates the moment they are assigned for the fulfilment of a judicial award.

"I offer these remarks for the consideration of the Court. A decree for any sum of magnitude, in our courts, has heretofore been too often a nullity; and it is little creditable to the state of the law that it should be so."

437. With advertence to the last quoted paragraph, the Court observe, that of the entire number of applications disposed of, 415 were either completely executed, or compromised between the parties; and 540 were struck off the file, having been neglected by the decree-holders from the period the first application for enforcement was made, from which it may be presumed that the majority of them were privately adjusted.

GENERAL REMARKS.

438. The statements for the district of Sarun were submitted by Mr. Nisbet with his letter of the 20th January last. They have been very carefully prepared, and, together with Mr. Nisbet's clear and creditable report, satisfy the Court that the duties of his court have been very satisfactorily performed, and the proceedings of the lower tribunals very efficiently superintended. Mr. Nisbet has left the district since the close of the year, and proceeded to Europe on furlough. The Court are satisfied that his successor, Mr. Gough, will pay equal attention to the administration of civil justice in the district, and that his attention will be especially directed to the heavy miscellaneous files of the higher courts, the reduction of which is a matter of the first importance.

Zillah Shahabad.

REGULAR FILE.

439. The regular file of the district of Shahabad on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	126	53
Ditto Additional Judge, ...	107	17
Ditto P. S. Ameens,.....	185	191
Ditto S. Ameen, ...	109	120
Ditto Moonsiffs, ...	1043	1128
	1570	1509

shewing a decrease of 61 suits.

440. The number of original suits and appeals instituted in the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judge and Addl. Judge, ...	858	776
Before Moonsiffs, ...	1971	2255
	2829	3031

shewing an increase of 202 suits.

441. The statement in the margin* shews the years in which the original suits and appeals pending on the 1st January 1840, were instituted, and is considered to be very satisfactory.

* 1835, ... 1
1836, ... 1
1837, ... 6
1838, ... 74
1839, ... 1427
1509

442. The marginal statement shews the number of suits retained on the files of the higher courts, which, with reference to their amount, were triable by the courts of inferior jurisdiction. The reasons given for their retention are satisfactory. There were no original suits of any description on the files of the Judge and Additional Judge.

Not exceeding	Rs. 800	Rs. 1000	Total.
P. S. Ameen,.....	0	2	2
S. Ameen.	24	0	24
Total,.....	24	2	26

443. Mr. Garrett held jointly the offices of Judge and Additional Judge from the 1st to the 28th January, during which period he disposed of 7 suits. On the 28th January Mr. C. G. Udny took charge of the former office, and held the appointment to the 12th December, when he was relieved by Mr. French. Mr. Udny disposed of 152 suits in the manner noted in the margin,* during 144 days that he sat in the civil court. There were no appeals from Mr. Udny's decisions to the Sudder Court.

* Decided on trial,..... 142
Dismissed on default,... 4
Adjusted or withdrawn, 6
152

444. The office of Additional Judge was vacant from the 28th January to the 8th March, when Mr. French assumed charge of it. Mr. French officiated as Additional Judge to the 12th December, and from that date to the end of the year, he held jointly the offices of Judge and of Additional Judge. Mr. French disposed of 114 suits in the manner noted in the margin.* No appeals were admitted by the Sudder Court, during the year, from the decisions of Mr. French.

* Decided on trial,..... 110
Dismissed on default,... 4
114

445. The 1st Principal Sudder Ameen, Syud Munowur Alli, disposed of 334 suits in the manner noted in the margin.* There were 140 appeals from the decisions of this officer pending at the close of 1838, and 80 were instituted in 1839, making a total of 220, which were dealt with in the manner noted in the margin.† The number of decisions reversed, exceeds one-fourth of the number of suits decided on trial; and if the figured statements alone are to form the test of the Principal Sudder Ameen's official proceedings during the period under review, the Court must pronounce them to be very unsatisfactory. Of 6 appeals from that officer's decisions preferred direct to the Sudder Court, one was dismissed on default. The five remaining cases had not been decided at the close of the year. Notwithstanding the result of the appeals, the Principal Sudder Ameen is highly spoken of by the late Officiating Judge in the following terms :—" Syud Munowur Ali, 1st Principal Sudder Ameen, is a very old and deserving officer, and during the period I have officiated as Judge of this district, his conduct has given me unqualified satisfaction. He was promoted to the 1st grade in the year 1838, and from his assiduity and general character as a Native Judge, was well entitled to the distinction. He is held in great respect by the native community, and his services have been noticed with approbation by former Judges."

* Decided on trial, ... 301
Dismissed on default, ... 12
Adjusted or withdrawn, ... 21
334

† Pending of 1838,..... 140
Admitted in 1839, ... 80
220

	Regular Appeals.	Special Appeals.	Total.
Confirmed, ...	58	12	70
Reversed or modified,...	53	25	78
Dismissed on default,...	6	4	10
Adjusted or withdrawn,	0	1	1
Pending, ...	25	36	61
	142	78	220

446. Syud Allee Buxsh, the 2nd Principal Sudder Ameen, disposed of 155 suits in the manner noted in the margin.* The number of appeals from his decisions is similarly given.† The whole of the decisions reversed, were in cases of special appeals before the Judge. Four (4) appeals from this officer's decisions, preferred direct to the Sudder Court, had not been decided at the close of the year. The additional Principal Sudder Ameen, of whom Mr. Udny speaks in the following terms, maintains his former reputation, as an able and intelligent judicial officer: " I am also happy in being able to bear similarly favourable testimony to the merits of Sheikh Ali Buxsh, the additional Principal Ameen. He is an extremely talented and attentive officer, and, from his character and qualifications, well deserving of promotion. He rendered me valuable assistance in the disposal of miscellaneous business, to which his attention was principally directed."

* Decided on trial 143
Dismissed on default,... 6
Adjusted or withdrawn, 6
155

† Pending of 1838,..... 15
Admitted in 1839, ... 17
32

Confirmed, ... 16
Reversed or modified, ... 11
Dismissed on default,..... 1
Adjusted or withdrawn, ... 1
Pending, ... 3
32

447. The officiating Sudder Ameen, Mahomed Sadeek, who is also Moonsiff of Arrah, disposed of 158 suits, in the former capacity, in the manner noted in the margin.* He also disposed of 296 cases in his capacity of Moonsiff. Twenty-five (25) appeals from his decisions were preferred in the course of the year, which were dealt with

* Decided on trial,..... 137
Dismissed on default,... 8
Adjusted or withdrawn, 13
158

in the manner noted in the margin.* Mr. Udny speaks highly of this officer, as shewn by the following extract from his letter :—"Mahomed Sadeek, the Moonsiff of the sudder station of Arrah, officiated also during the year as Sudder Ameen in the room of Hedait Allee Khan, absent on deputation. He is, in my opinion, a very able and intelligent officer; and his decisions and orders which came before me in appeal particularly struck me, as evincing patient investigation and sound judgment. He has already been promoted to the first grade of Moonsiffs, and I hope soon to hear of his advancement to the office of Sudder Ameen. He bears a very good character. The claims of Mahomed Sadeek to promotion to a Sudder Ameenship have already been favourably considered by the Court."

* Confirmed, ... 5
Reversed or modified, ... 1
Adjusted or withdrawn, ... 1
Pending, ... 18
— 25

448. The Moonsiffs of Arrah disposed of 2206 cases in the manner noted in the margin.* A statement of appeals from their decisions is also given.† The Court observe that, while the result of the appeals from the decisions of the Moonsiff and Additional Moonsiff of Arrah, are favourable, those of the appeals from the judgments of the Moonsiffs of Buxar, Dhungaen, Gurhunnee, and Sahseram, are quite the contrary. The Court observe that the officiating Additional Moonsiff of Arrah, Gudadhur Chuckerbuttee, appears to have conducted the duties of his office in a very creditable manner during the period he held charge of that office.

* Decided on trial, ... 1741
Dismissed on default, 93
Adjusted or withdrawn, 372
2206

† Pending of 1838, ... 179
Admitted in 1839, ... 394
573

Confirmed, ... 205
Reversed or modified, ... 214
Dismissed on default, ... 17
Adjusted or withdrawn, ... 17
Pending, ... 120
— 573

449. There were no suits under reference to the Collector at the close of the year, under the provisions of Section 30, Regulation II. 1819. No suits were tried with the aid of assessors. Thirty-nine (39) suits were instituted to set aside summary decisions of the revenue authorities for arrears of rent.

450. The total amount or value of the original suits and appeals pending on the 1st January 1840, was as follows:

	Original Suits.	*Appeals.*	*Total.*
Before the Judge, ...	0	18377	18377
„ P. S. Ameens, ...	264377	18306	282683
„ S. Ameen, ...	49437	0	49437
„ Moonsiffs, ...	78502	0	78502
Total,.....	392316	36683	428999

MISCELLANEOUS FILE.

451. The miscellaneous file of the district of Shahabad on the 1st January 1839 and the 1st January 1840, was as follows :

	1839.	1840.
Before Judge, ...	215	247
Ditto Additional Judge, ...	6	4
Ditto P. S. Ameens, ...	712	761
Ditto S. Ameen, ...	151	108
Ditto Moonsiffs, ...	1090	1027
	2174	2147

shewing a slight decrease of 27 cases.

* Reviews of judgment, 15
Applications for special appeals, ... 91
Summary appeals under Clause 4, Sect. 3, Reg. XXVI. 1814, and Act XXII. 1838, 4
Ditto appeals under Reg. VII. 1825,... 67

452. The marginal* statement, shewing the number of cases of the greatest importance on the file of the Judge, exhibits a considerable increase in the several descriptions of cases therein noted. To these the Judge's attention should be at once directed. Of 98 applications for the admission of special appeals disposed of by the Judge, 54 were admitted, which appears to the Court to be a very large proportion. The marginal statement* shews the number of appeals, to the Sudder Court, from the Judge's orders in miscellaneous cases.

* Pending of 1838,..... 11
Preferred in 1839, ... 27
38
Confirmed, ... 12
Modified or reversed, ... 8
Struck off on default,..... 3
Pending, ... 15
38

453. The file of the Additional Principal Sudder Ameen is still very heavy, and will require his constant attention. The files of the other Native Judges call for no particular remark.

* Pending of 1838, ... 1843
Preferred in 1839, ... 2164
3507
Disposed of, ... 2318
1189
Before 1835,... 8
In 1835,... 5
1836,... 15
1837,... 104
1838,... 211
1839,... 851
1189

454. The marginal* statement shews the number of applications for the execution of decrees, together with the years in which the applications pending on the 1st January 1840, were instituted. Of the cases disposed of, 903 were completely executed, or compromised between the parties. There has been a slight improvement during the year under review, in this branch of the duties of the civil courts.

GENERAL REMARKS.

455. The statements for the district of Shahabad were submitted by Mr. French, with his letter of the 4th March ; and Mr. Udny has since submitted to the Court his opinion of the character and qualifications of the several Native Judges. The report is on the whole very creditable to those officers.

456. The business in the courts of the several Native Judges appears to be in a satisfactory state, except that the miscellaneous file of the Additional Principal Sudder Ameen is heavy. The Court, however, are fully satisfied that that officer is paying every attention to it, and that the large number of cases is not attributable to any negligence on his part. The Court do not consider that there has been any improvement in the state of business in the Judge's court.

Zillah Sylhet.

457. The regular file of the district of Sylhet on the 1st January 1839 and the 1st January 1840, was as follows :

	1839.	1840.
Before Judge,.....	31	56
Ditto P. S. Ameen, ...	53	14
Ditto S. Ameen,.....	20	41
Ditto Moonsiffs, ...	931	1404
	1035	1515

shewing an increase of 480 suits.

458. The number of original suits and appeals instituted during the years 1838 and 1839, respectively, was as follows :

	1838.	1839.
Before Judge, ...	223	204
Before Moonsiffs,.....	2033	1978
	2256	2182

shewing a decrease of 74 suits.

459. The statement in the margin* shews the years in which the suits pending on the 1st January 1840, were instituted. The reasons given for the delay in the decision of most of the cases of long standing, are sufficient.

* 1829, ... 1
1832, ... 4
1836, ... 1
1837, ... 52
1838, ... 235
1839, ... 1222
1515

460. The marginal statement shews the number of cases retained on the files of the higher courts, which, with reference to their amount, were triable by the courts of inferior jurisdiction. The Court observe that the 5 suits before the Judge below 300 rupees, should have been transferred to the Principal Sudder Ameen or Sudder Ameen. There are also 6 cases above the value of 5000 rupees each, pending before the Judge, for the retention of which no reasons are given. The reasons given for the retention of the suits on the files of the Principal Sudder Ameen and Sudder Ameen are sufficient.

Not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge,.....	5	0	0	5
" P. S. Ameen,.....	1	0	0	1
" S. Ameen.	16	0	0	16
Total...	22	0	0	22

461. Mr. H. Stainforth officiated as Judge of Sylhet from the 1st January to the 19th October, having however suffered from indisposition from the end of July. On the 17th October Mr. Stainforth was relieved by Mr. G. Plowden, who officiated as Judge to the 30th December, when he again made over charge of the office to Mr. Stainforth. The marginal statement* shews the manner of the disposal of the time of the officers who held the appointment of Judge of the district.

	Days
* Civil court,	156
Sessions ditto,	78
Sundays and Holidays,	110
Absent from indisposition,	20
Total...	365

462. Mr. Plowden appears to have been engaged, during the time in which he held the office of Judge, in clearing off the arrears which had accumulated during Mr. Stainforth's illness on the criminal side. Mr. Stainforth disposed of 58 suits in the manner noted in the margin.* There were no appeals, regular or special, preferred from the Judge's decisions to the Court of Sudder Dewanny Adawlut.

* Decided on trial,	57
Dismissed on default,	0
Adjusted or withdrawn,	1
Total...	58

463. The Principal Sudder Ameen, Mahomed Idris Khan, disposed of 77 suits in the manner noted in the margin.* There were 9 appeals from the decisions of the Principal Sudder Ameen pending at the close of 1838, and 20 were preferred in 1839, making a total of 29. These were dealt with in the manner noted in the margin.† There were no appeals from this officer's decisions preferred direct to the Sudder Court. The Court have perused with satisfaction the following remarks of the Judge on the official character of Mahomed Idris Khan. Considering however that the Superior Court are required to select, for promotion, the officers who in their judgment are the most deserving of such advancement, from the entire body of the Principal Sudder Ameens, they are of opinion that Mr. Stainforth's concluding observation might as well have been omitted.

* Decided on trial,	70
Dismissed on default,	7
Adjusted or withdrawn,	0
	77
† Confirmed,	6
Reversed or modified,	6
Pending,	17
	29

"This officer decided as many regular suits as the state of his file admitted of. A great part of his miscellaneous work consists of most troublesome cases of giving possession to auction purchasers, in which decisions, however well made, are always likely to be prolific of appeals in this district, where the lands of the different estates are more commixed than in any other district with which I am acquainted.

"Mahomed Idris Khan is an officer of great intelligence and industry, and these qualifications, added to his excellent character and long service, will I trust succeed in raising him to the first class of Principal Sudder Ameens; for it cannot but produce an injurious effect, that it should be publicly known, how ability, industry, length of service, and a character unstained by corruption and of acknowledged independence, are insufficient to raise their possessor to the highest rank of his profession."

464. The late Sudder Ameen, Suddurool Hossein, having been promoted to the Principal Sudder Ameenship of Rungpore, Sham Ram, Moonsiff of Parkool in this district, was appointed to succeed him, still retaining the office of first Moonsiff of Parkool. In his capacity of Sudder Ameen he disposed of 24 suits in the manner noted in the margin.* One appeal preferred from his decisions, remained undecided at the close of the year. He also decided 181 cases on their merits as Moonsiff of Parkool. Mr. Stainforth bears the following very creditable

* Decided on trial,	10
Dismissed on default,	12
Adjusted or withdrawn,	2
	24

testimony to the official character of the Sudder Ameen: "As out of 2,863 regular suits decided by Sham Ram since 1834, only 15 of his decrees have been reversed, it seems to me supererogatory to speak of his care and ability; and his character has never been impeached."

465. The Moonsiffs of Sylhet disposed of 1569 suits in the manner noted in the margin,* being considerably less than the number decided in 1838.† The number of appeals from the decisions of the Moonsiffs pending at the close of the year 1838, was 52, and 70 were preferred in 1839, making a total of 122, which were dealt with in the manner noted in the margin.‡ Of the number of appeals disposed of, one-third were decided by the Judge.

* Decided on trial,..... 758
Dismissed on default,... 455
Adjusted or withdrawn, 356
1569

† 1838, ... 2109
1839, ... 1569
Decrease, ... 540

‡ Confirmed,..... 44
Reversed or modified, 41
Dismissed on default, 6
Pending,..... 31

466. Mr. Stainforth has the following remarks in regard to the official proceedings and character of the several Moonsiffs of his district, which for the most part are satisfactory. With regard to Mr. Stainforth's observations regarding Goluck Chunder Bose, late Moonsiff of Nubbeegunge, the Court remark that the Judge's recommendation in favour of that officer had not been overlooked; and that, had he remained in the judicial branch of the service, the earliest opportunity of promoting him, consistently with the claims of older judicial functionaries than himself, would have been gladly taken by the Court.

Goluck Chunder Bose, late Moonsiff of Nubbeegunge.

"The extraordinary merits of this old and most efficient servant of Government were prominently submitted to the notice of the Sudder Dewanny Adawlut in my last annual report, and the Court were pleased to resolve, that my recommendation in his favor should meet with due attention. Nothing however was done, and I regret to say that Goluck Chunder has accepted a Deputy Collectorship in Sylhet, leaving the judicial branch of the service after serving as Moonsiff 23 months, with the perhaps unparallelled honor of never having had a *single order of any kind, passed by him, reversed on appeal.* Had I the gift of a Principal Sudder Ameenship, the revenue authorities should not long have to congratulate themselves in having secured his services.

Casheenath Rai, Moonsiff of Sonamgunge.

"Out of 2122 regular suits disposed of by Casheenath Rai during the last 6 years, 17 only of his decrees have been reversed or modified, a fact which speaks most highly for his care and ability; he is a Moonsiff of the 1st grade, and appears to me to be highly deserving of promotion.

Wassil Alee, Moonsiff of Hingojeeah.

"Wassil Alee, who has lately been transferred to Nubbeegunge, appears to me to be deserving of having his salary augmented; he ranks in my estimation as I have placed him.

Mahomed Salim, Moonsiff of Russoolgunge.

"Mahomed Salim is a Moonsiff of the 1st grade: he bears, as I observed last year, a good character, but he is occasionally hasty and deficient in judgment. Of his decisions reversed, 8 were so disposed of by the Principal Sudder Ameen; and perusal of these cases does not lead me to think it necessary to say more than that I am unable to award this Moonsiff my approbation of his work.

Ameen-ul-zuman, Moonsiff of Latoo.

" Ameen-ul-zuman appears to have done his work creditably, and I have every reason to be satisfied with him.

Bhyrub Chunder, Moonsiff of Lushkerpore.

" Bhyrub Chunder was suspended for a considerable part of the year, on account of two cases which appeared to me to prove want of common capacity or of uncommon honesty; the Sudder Dewanny Adawlut however did not consider the grounds assigned sufficient for his dismissal, and he was accordingly reinstated; he is an old servant, and enjoyed the good opinion of my predecessor.

Golam Imam, Moonsiff of Azmerygunge.

" I look upon this officer as the worst Moonsiff I have under me; he is wanting both in understanding and care—his decrees reversed were so disposed of by the Principal Sudder Ameen. Both this Moonsiff and Bhyrub Chunder are dependant on the brains of their amlah, and their decisions will be good or bad according as the latter are good men and true, or inefficient and corrupt."

With reference to the concluding remarks the Court observe that the Judge should report, in conjunction with the Commissioner of the division, on the marked inefficiency of any of the Moonsiffs subordinate to his court.

467. No suit was under reference to the Collector under the provisions of Section 30, Regulation II. 1819. In six (6) cases tried with the aid of assessors, five (5) were decided in accordance with the opinion of the assessors, who were generally vakeels of the Judge's court. Thirty-four (34) suits were instituted to set aside summary awards for arrears of rent.

468. The total amount or value of the original suits and appeals pending at the close of the year 1839, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	127763	6586	134349
P. S. Ameen, ...	12307	173	12480
Sudder Ameen, ...	13868	0	13868
Moonsiffs, ...	57566	0	57566
Total	211504	6759	218263

MISCELLANEOUS CASES.

469. The miscellaneous file of the district of Sylhet on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge,.....	319	348
Principal Sudder Ameen,.....	324	254
Sudder Ameen, ...	92	59
Moonsiffs, ...	1010	1003
	1745	1064

shewing a decrease of 81 cases.

470. The marginal statement* shews the cases of greatest importance pending on the file of the Judge. Of 36 applications for the admission of special appeals disposed of by the Judge, 14 were admitted. The statement in the margin† shews the number of miscellaneous appeals from the orders of the Judge to the Sudder Court. There were no appeals to the Sudder Court from the orders of the Principal Sudder Ameen.

* Reviews of judgment,	15
Applications for admission of special appeals,	15
Summary appeals under Clause 4, Section 3, Regulation XXVI. 1814, and Act XXII. 1838,	19
Summary ditto under Reg. VII. 1825,	17
Execution of decrees,	12
† Pending of 1838,	9
Admitted in 1839,	16
	25
Confirmed,	9
Reversed or modified,	6
Dismissed on default,	1
Pending,	9
	25

471. There are numerous cases on the files of the Native Judges which have been pending upwards of a year, but they are chiefly applications for the execution of decrees, which kind of cases is found to remain longest on the file of every district under the Court's jurisdiction.

472. The statement in the margin* exhibits the number of applications for the execution of decrees pending at the close of 1838, the number admitted in 1839, and the number disposed of, together with the years in which the pending applications were instituted.

* Pending of 1838,	1152
Admitted in 1839,	1687
	2839
Disposed of in 1839,	1822
Pending,	1017
Before 1835,	40
In 1835,	24
„ 1836,	67
„ 1837,	91
„ 1838,	216
„ 1839,	579
	1017

GENERAL REMARKS.

473. The statements for this district, which have been very carefully prepared, were submitted by Mr. Stainforth, with his letter of the 11th April. They do not exhibit so large a quantity of work performed by the several officers who presided over the different courts, as was transacted in the preceding year. There is moreover a considerable arrear of miscellaneous business, especially in the department of execution of decrees, which requires immediate attention, and in regard to which the Court trust that the anticipations of the Judge, as expressed in the following extract from his letter, will be fully realized.

"Should health allow of my remaining here until the end of the current year, I pledge myself to have the whole of the courts, by that time, in a most efficient state, not only as regards the earliest proper disposal of regular suits, but the speedy execution of decrees, for which sales are now regularly and promptly held by a Native Deputy Collector."

474. The Court are satisfied with the manner in which Mr. Stainforth transacted the business of his court, which however was necessarily small in consequence of his protracted absence from indisposition.

Zillah Tipperah.

475. The regular file of the district of Tipperah on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge,	86	43
„ P. S. Ameen,	56	82
„ S. Ameen,	46	53
„ Moonsiffs,	1679	1399
	1867	1577

shewing a decrease of 290 suits.

476. The number of original suits and appeals filed in the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judge,	475	503
„ Moonsiffs,	2995	2952
	3470	3455

shewing a decrease of 15 suits.

* 1832,	1
1835,	1
1836,	3
1837,	18
1838,	104
1839,	1450
	1577

477. The marginal statement* shows the years in which the suits pending on the 1st January 1840, were instituted. The statement shews an improvement on the similar return of the preceding year. The attention of the Native Judges should be directed to the old cases still pending.

Not exceeding	Rs. 300
Before Judge,	8
„ P. S. Ameen,	21
„ S. Ameen,	18
Total,	47

478. The statement in the margin shews the number of suits retained on the files of the higher courts, which, with reference to their amount, were triable by the courts of inferior jurisdiction. The reasons given for their retention are quite satisfactory.

	Days.
* Civil court,	172
Sessions and criminal duties,	68
Sundays and Holidays,	117
Total...	357

† Decided on trial,	207
Dismissed on default,	7
Adjusted or withdrawn,	7
Total...	221

479. Mr. A. S. Annand was in charge of the current duties of the Judge's office from the 1st to the 8th January, on which date he was relieved by Mr Cardew, the present Judge of the district. Mr. Cardew's time was employed in the manner noted in the margin.* He disposed of 221 cases in the manner exhibited in the margin.† The Court are glad to observe that 140 cases of appeal from the decisions of the Moonsiffs were disposed of by the Judge. There were no appeals, regular or special, preferred to the Sudder Dewanny Adawlut from the decrees passed by Mr. Cardew.

480. The Principal Sudder Ameen, Cazee Mahomed Allee, disposed of 223 suits in the manner shewn in the margin.* There were 35 appeals from this officer's decisions pending before the district Judge at the close of 1838, and 52 were preferred during the year 1839, making a total of 87. These were disposed of in the manner noted in the margin.† The Judge remarks that the Principal Sudder Ameen continues to bear the same high character he obtained from his former superiors. Two appeals from the decisions of the Principal Sudder Ameen, preferred directly to the Sudder Court, remained on the Court's file at the close of the year.

* Decided on trial,.....	193
Dismissed on default,	21
Adjusted or withdrawn,	9
Total...	223
† Confirmed, ...	31
Reversed or modified,...	26
Dismissed on default,...	6
Adjusted or withdrawn,	2
Pending, ...	22
* Total...	87

481. Ramlochun Ghose, the Sudder Ameen of Tipperah, disposed of 76 suits in his capacity of Sudder Ameen, and 328 in that of Moonsiff of Cutwally, in the manner exhibited in the margin.* A statement is also given of the appeals from his decisions.† The results are creditable to the Sudder Ameen, of whom Mr. Cardew writes as follows:—"Ramlochun Ghose, the Sudder Ameen, is a first rate officer, and is fully entitled to be promoted to the first grade of Native Judges. He is a man of excellent judgment, sound reasoning, of great application, and of known probity."

	Sudder Ameen.	Moonsiff.	Total.
* Decided on trial,.....	44	224	268
Dismissed on default,.....	8	33	41
Adjusted or withdrawn, ...	24	71	95
	76	328	404
† Pending of 1838,.....	5	8	13
Admitted in 1839, ...	21	42	63
	26	50	76
Confirmed, ...	8	21	29
Reversed or modified,.....	5	17	22
Adjusted or withdrawn,...	1	0	1
Pending, ...	12	12	24
Total	26	50	76

482. The Moonsiffs of Tipperah, including Ramlochun Ghose, disposed of 3315 suits in the manner noted in the margin.* There were 55 appeals from the decisions of these officers pending at the close of the year 1838, and 278 were preferred during 1839, making a total of 333. These were dealt with in the manner noted in the margin.† The Court cannot consider the statement to be altogether satisfactory. Judging from the numerical statement of appeals, the results are most to the credit of Khajeh Mahomed Hossein, Moonsiff of Juggernath Diggy.

* Decided on trial, ...	2112
Dismissed on default,..	602
Adjusted or withdrawn, ...	601
	3315
† Confirmed,.....	134
Reversed or modified,	149
Dismissed on default,	7
Adjusted or withdrawn, ...	4
Pending,.....	39
	333

483. The following remarks by the Judge are generally creditable to the officers concerned;

"I consider Mahomed Nazim, the Moonsiff of Punchpookurreeah, to be the first officer of his grade in this Zillah. He is learned in the Mahomedan law and sciences, and is an assiduous and attentive officer. He bears the highest character for uprightness.

"The two next in my estimation are Ousauf Ally, Moonsiff of Cusba Noornugger, and Kumurooddeen Mohomed. Both these officers were highly thought of by Mr. Shaw, and they continue to maintain their high character, conducting the duties of their courts in an efficient and satisfactory manner.

"I would class Imdad Ally fourth. I had occasion to suspend him, and to recommend his dismissal from office for gross neglect of duty; he was reinstated by order of the superior Court, on the grounds of having previously borne an excellent character. I had no suspicion of his having been dishonest, and have strong reasons for hoping that he will so conduct himself in future as to merit the approbation of his superiors.

"Syud Jonab Ally, Moonsiff of Begumgunge, and Kollykinker Sein, of Ameergong, are both good officers; they have not the abilities of the beforenamed, but they have discharged their duties to my satisfaction.

"I would class Moonshee Khajeh Mahomed Hossen, of Juggernath Diggy, 7th; Herrasut Oollah, of Luckheepoorah, 8th; and Roghoonath Paulit, of Toobkibagrah, 9th. The first and last have been appointed to their situations during the past year. Their orders appear to have given satisfaction, as a very small number of appeals have been entered from their decisions. I had occasion to fine them once or twice each for neglect and inattention.

"In forming this judgment I have not been guided entirely by the number of cases decided and the number confirmed and reversed in appeal, but also from the manner of conducting their business generally, and this I was enabled to do satisfactorily from having taken advantage of the Dusserah holidays to examine minutely all the registers, records, and suits pending in the Moonsiffs' courts."

484. There were 20 cases under reference to the Collector under the provisions of Section 30, Regulation II. of 1819, at the close of the year. In three cases tried with the aid of a Punchayet, the decision of the Judge was given contrary to the opinion of the Punchayet—94 suits were instituted to set aside the summary award of the Revenue Authorities for arrears of rent.

485. The total amount or value of the original suits and appeals pending on the 1st January 1840, was as follows:

	Original Suits.	*Appeals.*	*Total.*
Before Judge, ...	974	15107	16081
„ P. S. Ameen,.....	112537	4683	117220
„ Sudder Ameen,.....	21187	0	21187
„ Moonsiffs, ...	55343	0	55343
Total	190041	19790	209831

MISCELLANEOUS FILE.

486. The miscellaneous file of the district of Tipperah on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge,	225	215
„ P. S. Ameen,	188	201
„ Sudder Ameen,	37	53
„ Moonsiffs,	1049	624
	1499	1093

shewing a decrease of 406 cases, entirely on the files of the Moonsiffs.

487. The cases of importance pending on the file of the Judge are noted in the margin.* Of 39 applications for the admission of special appeals disposed of by the Judge, 29 were admitted, which, with reference to the law of special appeal, appears a large number. There were 9 appeals from the orders of the Judge in miscellaneous cases, pending on the file of the Sudder Court at the close of the year 1838, and 30 were preferred in 1839, making a total of 39. These were dealt with in the manner noted in the margin.† In one case of appeal from the orders of the Principal Sudder Ameen, the decision of that officer was reversed.

* Reviews of judgment,	1
Applications of special appeal,	7
Summary appeals under Sec. 4, Reg. XXVI. 1814, and Act XXII. 1838,	22
Ditto ditto under Reg. VII. 1825,	21
Execution of decrees,	6
† Confirmed,	12
Reversed or modified,	6
Dismissed on default,	1
Pending,	20
Total...	39

488. The files of the Native Judges (especially of the Sudder Ameen and Moonsiffs) are generally light, and call for no particular remark. The Court observe with satisfaction the great reduction that has been made in the courts of Moonsiffs in this department of their duties.

489. The marginal statements* shew the number of applications for the execution of decrees, together with the years in which the pending applications were instituted. There has been a marked improvement in this important branch of the business of the civil courts.

* Pending of 1838, ...	748
Admitted in 1839,	1289
	2037
Disposed of in 1839,	1487
Balance,	550
Before 1835,	7
In 1835,	13
„ 1836,	13
„ 1837,	16
„ 1838,	47
„ 1839,	404

GENERAL REMARKS.

490. The statements for Tipperah were submitted with Mr. Cardew's letter of the 29th January last. They have been very carefully prepared, and satisfy the Court of the efficiency of the administration of civil justice in the district. The files of the several courts are light, and cases are taken up and decided with promptitude and despatch.

491. The Court are fully satisfied with the able manner in which Mr. Cardew has discharged the duties of his own court, and superintended those of the Native Judges.

Zillah Tirhoot.

492. The regular file of the district of Tirhoot on the 1st January 1839 and the 1st January 1840, was as follows;

	1839.	1840.
Before Judge, ...	242	216
,, Principal Sudder Ameens, ...	555	621
,, Sudder Ameen, ...	204	266
,, Moonsiffs, ...	1249	1271
	2250	2374

being an increase of 124 suits.

493. The number of original suits and appeals instituted during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judge, ...	1198	1126
Ditto Moonsiffs, ...	2867	2426
	4065	3552

being a decrease of 513 suits.

494. The marginal statement* shews the years in which the original suits and appeals pending on the 1st January 1840, were instituted. The Court observe that the suits of a date prior to 1836, are chiefly cases which have been sent back by the Sudder Dewanny Adawlut for re-trial. The statement on the whole is not so satisfactory as that of the preceding year.

* 1825, ...	1
1828, ...	1
1829, ...	1
1833, ...	1
1835, ...	1
1836, ...	3
1837, ...	31
1838, ...	313
1839, ...	2014
	2374

495. The marginal statement shews the number of cases retained on the files of the higher courts, which, with reference to their amount, might have been made over to the courts of inferior jurisdiction. The Court observe that the Judge proposed immediately making over some of the cases to the lower courts. The reasons given for the retention of the rest, are generally sufficient. There were four cases (retained for good reasons) on the Judge's file above the value of 5000 rupees.

Not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge.....	7	1	2	10
,, P. S. Ameens,	3	1	0	4
,, S. Ameen,...	117	0	0	117
Total.....	127	2	2	131

496. Mr. H. S. Oldfield held the office of Judge of Tirhoot from the commencement of the year to the 14th May, when he was relieved by Mr. A. Grant. Mr. Grant discharged the duties of the office to the close of the year, with the exception of the period from the 9th to the 29th November, during which the 1st Principal Sudder Ameen performed the current duties of the office. The marginal statement* shews the manner in which the time of the Judge was occupied.

	Days
* Civil court, ...	155
Sessions and criminal duties, ...	82
Sundays and Holidays,	109
Judge absent from indisposition, ...	19
	365

497. The number of suits disposed of in the Judge's court was 107, as shewn in the marginal statement, of which Mr. Oldfield disposed of 57 and Mr. Grant of 50. The number is 150 less than that disposed of in the year 1838. Of 4 regular and 22 special appeals from Mr. Oldfield's decisions preferred to the Sudder Dewanny Adawlut, two cases were referred back to the Judge for further enquiry; the remaining cases were pending on the file of the Superior Court at the close of the year.

	Mr. Oldfield.	Mr. Grant.	Total.
Decided on trial, ...	50	45	95
Dismissed on default, ...	7	5	12
Total.....	57	50	107

498. The number of suits disposed of by the 1st Principal Sudder Ameen, Moolvee Abdool Wahid Khan, is shewn in the marginal statement.* There were 64 appeals from this officer's decisions pending at the close of 1838, and 26 were instituted in the Judge's court during the year 1839, making a total of 90. They were dealt with in the manner noted in the margin.† The result is very creditable to the Moolvee, of whom Mr. Grant makes the following remarks:—"The high character of the 1st Principal Sudder Ameen, Abdool Wahid Khan, is far too well established to require any confirmation from me; and I only hope it may soon be in the power of the Court to mark their sense of his well tried and excellent services, by recommending his promotion to the higher grade."

* Decided on trial,..... 236
Dismissed on default,... 41
Adjusted or withdrawn, ... 4
281

† Confirmed, ... 25
Modified or reversed,... 13
Dismissed on default,... 2
Pending, ... 50
Total... 90

499. Hedayet Allee Khan, Sudder Ameen of Shahabad, officiated as 2nd Principal Sudder Ameen of Tirhoot, during the absence on deputation of the incumbent, Soojaooddeen Allee Khan. He disposed of 339 suits in the manner noted in the margin.* There were 16 appeals from his decisions during the year, none of which would appear to have been taken up by the Judge. This information the Court gather from the Judge's letter forwarding the statements, instead of from the statement of appeals, which, as not shewing the result of the appeals from the decisions of each officer, separately, has not been prepared in the prescribed manner. The Judge will be requested to enter separately the appeals from the decisions of each of the officers who have held the situation of 2nd Principal Sudder Ameen in submitting his returns for the current year.

* Decided on trial, ... 275
Dismissed on default, 51
Adjusted or withdrawn, ... 13
339

500. The Court remark with great satisfaction that Hedayet Allee Khan maintains his previous high character as a judicial officer. Mr. Grant speaks of him in the following terms of commendation:

"Of Hedayet Allee Khan, who acted as 2nd Principal Sudder Ameen during the whole year, I have the highest opinion in every respect. From 275 of his decisions on trial, besides 51 cases dismissed on default, there were only 16 appeals, and though I have not yet tried any of these appeals, yet in references which came before me in regard to his orders in miscellaneous cases, I had some opportunity of judging of his qualifications. From what I have seen of him, too, I should say that he possesses a manly independence of character, which is seldom found combined with any want of honesty of purpose; and on the whole, I should be inclined to place more confidence in Hedayet Allee Khan than in any native I ever met with."

501. Eight appeals from the decisions of the Principal Sudder Ameens, preferred to the Sudder Court, were pending at the close of the year.

502. The Sudder Ameen, Sulamut Allie, disposed of 331 suits in the manner noted in the margin.* A second statement shews the number of appeals from this officer's decisions and the manner of their disposal.† The result is satisfactory with reference to the number of suits decided on trial by the Sudder Ameen, of whom the Judge remarks that he is a most respectable man, and a zealous officer, and deserving of the good character he has received. The Court observe that the number of appeals from the Sudder Ameen's decisions still pending, is large, and should receive the early attention of the Judge.

* Decided on trial,.....	223
Dismissed on default,...	67
Adjusted or withdrawn,	41
	331

† Pending of 1838,.....	90
Preferred in 1839, ...	72
	162

Confirmed, ...	27
Modified or reversed, ...	23
Dismissed on default,...	6
Pending, ...	106
	162

503. The opinion of the Court regarding the proceedings of Mahomed Rafiq, the Sudder Ameen stationed at Monghyr, will be found recorded in their resolutions on the statements from Zillah Bhagulpore.

504. The Moonsiffs of Tirhoot disposed of 2386 suits, in the manner indicated in the margin,* of which 848 were defended. There were 435 appeals from the decisions of the Moonsiffs pending at the close of 1838, and 537 were preferred during the year 1839, making a total of 972, which were dealt with in the manner noted in the margin.† The Court cannot consider the general results to be satisfactory with reference to the number of suits that were defended in the courts of the Moonsiffs. To this general remark, however, there are two exceptions, viz. Allee Buxsh, Moonsiff of Teghra, and Hurpershad, Moonsiff of Mudhaipore, whose cases appear to have been well investigated. The Court observe with satisfaction the endeavours made by the former of those officers to regain the confidence and good opinion of the Court, who, in their report of the year preceding that under review, had occasion to condemn his proceedings in very strong terms. The following are the Judge's remarks regarding the proceedings of the Moonsiffs:

* Decided on trial, ...	1740
Dismissed on default,	314
Adjusted or withdrawn, ...	332
	2386

† Confirmed, ...	214
Modified or reversed,...	191
Dismissed on default,...	89
Adjusted or withdrawn,	11
Pending, ...	467
Total...	972

"I regret that I cannot report favourably of the work done by the Moonsiffs, with the exception of two, Cauzee Ullee Bucksh, Moonsiff of Teghra, and Hurpurshad, Moonsiff of Mudhaipore. The former especially (and it gives me pleasure to make the remark with reference to the fault which was justly found with him in last year's report) seems to have excelled all the others, whether we look to the large number of his decisions, the few appeals against them, or the small proportion reversed or modified. The latter, Hurpurshad, has not, it is true, decided quite the prescribed number of suits, but there have been fewer appeals against his decisions than against those of any of the remaining 5 Moonsiffs, and the number confirmed was more than double of those reversed or modified. Considering also that Hurpurshad has suffered considerably from bad health in the uncongenial climate of Mudhaipore, I think he has supported his previous high character.

"In order to show clearly the grounds of my opinion in regard to the remaining 5 Moonsiffs, I have made a short statement noted in the margin,* from which it will appear that they have between them decided 396 cases less than in 1838; that the appeals against their decisions in 1839 exceed one-third of the total number of cases decided by them upon trial throughout the year; and that one-half of the appeals from their decisions brought to trial, were reversed or modified."

* Number of suits decided on trial by the Moonsiffs of Durbhanga, Muhwa, Dulsing Surrai, Muzuffurpore, and Coylee in 1838, 1608
Do. do. do. in 1839,... 1212
Decrease..... 396

No. of appeals from these 1212 decisions, ... 436
Total number of appeals from decisions of those 5 Moonsiffs tried in 1838 & confirmed, 174
Do. do. do. reversed or modified, ... 173

Mr. Grant adds that he has never heard the slightest imputation cast upon the integrity of the Moonsiffs.

505. There were three suits under reference to the Collector under the provisions of Section 30, Regulation II. 1819. No case was tried with the aid of assessors, and no suit instituted to set aside summary decisions for arrears of rent.

506. The aggregate amount or value of the suits and appeals pending at the close of the year, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge, ...	830649	127382	958031
„ P. S. Ameens, ...	1084669	57141	1141810
„ S. Ameen, ...	98412	0	98412
„ Moonsiffs, ...	74432	0	74432
Total,.....	2088162	184523	2272685

MISCELLANEOUS FILE.

507. The miscellaneous file of the district of Tirhoot on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge,.....	404	466
Ditto P. S. Ameens, ...	504	417
Ditto S. Ameen,.....	197	185
Ditto Moonsiffs,.....	868	727
	1973	1795

being a decrease of 178 cases.

508. With reference to the increase on the Judge's file, Mr. Grant remarks: "At the end of 1838, the number of cases pending in the Judge's court was 404, and at the end of 1839, it was 466, the increase being only 62, whilst the total number of cases disposed of throughout the year was 9,333." The Court must observe however, that the great majority of the cases disposed of appear to have been matters of course; whereas the most important part of the business of the Judge's court in the miscellaneous department has fallen considerably into arrear. Thus, while at the end of 1838 there were 7 applications for reviews of judgment, there were no less than 30 at the end of 1839; and the number of applications for the admission of special appeals had increased from 8, at the close of 1838, to 82, at the close of 1839. A close examination of the returns shews moreover that almost the whole of the important miscellaneous cases disposed of, were decided by Mr. Oldfield.

509. The marginal statement* shews the number of appeals, from orders passed by the Judge in miscellaneous cases, preferred to the Sudder Dewanny Adawlut. Of two appeals from the orders of the Principal Sudder Ameens, preferred direct to the Sudder Court, the order in one of them was reversed: the other case was pending at the close of the year.

* Pending of 1838,		23
Admitted in 1839,		66
		89
Confirmed,		43
Modified or reversed,		19
Dismissed on default,		2
Pending,		25
		89

510. The files of the Native Judges call for no particular remark. There were 302* cases which had been pending upwards of a year, the whole of which, with very few exceptions, were applications for the enforcement of decrees.

* 1st P. S. Ameen,	31
2d Ditto,	54
S. Ameen,	56
Moonsiffs,	161
	302

511. The marginal statement* shews the number of applications for the execution of decrees, together with the years in which the applications pending on the 1st January 1840, were preferred. The statement does not appear to call for any particular remark.

* Pending of 1838,	1451
Admitted in 1839,	1936
Total,	3387
Disposed of in 1839,	2212
Pending,	1175
Before 1834,	1
In 1835,	9
" 1836,	18
" 1837,	79
" 1838,	192
" 1839,	876
Total	1175

GENERAL REMARKS.

512. The statements of the district of Tirhoot were forwarded by the Judge, Mr. Grant, with his letter of the 29th May, and were received in the office of the Court on the 8th June following, being four months after the date fixed by the Court as the period by which the annual returns should reach them. The following explanation of this delay given by the Judge, the Court consider to be quite unsatisfactory.

"I have now, I believe, noticed every point which requires any explanation beyond what is afforded by the present very compendious printed statements, and have only to add the expression of my regret, that the preparation of the Court's Annual

General Reports should have been impeded, by the delay in transmitting the statements of this district. I beg to assure the Court, however, (and I believe they must be already aware of this,) that the delay has been caused by the pressure of other most important business, which even now I have been obliged to postpone to the preparation of these statements, in consequence of the peremptory nature of the Court's requisition contained in your letter of the 22d instant."

513. The state of the files in the courts of the Native Judges is generally satisfactory. With regard to the Judge's court, the Court remark that since the close of the period under review, it has been found necessary to appoint an additional Judge to the district of Tirhoot.

Zillah Twenty-four Pergunnahs.

REGULAR FILE.

514. The regular file of the district of the 24-Pergunnahs on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	116	140
Ditto Additional Judge, ...	74	0
Ditto P. S. Ameen, ...	165	289
Ditto S. Ameen, ...	87	105
Ditto Moonsiffs, ...	1915	1703
	2357	2237

shewing a decrease of 120 suits.

515. The number of original suits and appeals filed during the years 1838 and 1839, respectively, was as follows:

	1838.	1839.
Before Judge, ...	680	892
Ditto Moonsiffs, ...	4543	5087
	5223	5979

shewing an increase of 756 suits.

516. The statement in the margin* shews the years in which the suits pending at the close of the year were instituted. The Court observe, that almost the whole of the cases before 1837, are suits returned after appeal for further investigation and enquiry. The attention of the Judge and the subordinate courts should be directed to these cases.

* 1828, ... 3
1830, ... 1
1833, ... 1
1834, ... 4
1835, ... 8
1836, ... 14
1837, ... 32
1838, ... 82
1839, ... 2092
Total... 2237

Not exceeding	Rs. 300	Rs. 1000	Rs. 5000	Total.
Before Judge..... ..	1	0	2	3
„ P. S. Ameen,	44	7	0	51
„ S. Ameen,...	55	0	0	55
Total,...	100	7	2	109

517. The marginal statement shews the suits retained on the files of the higher courts, which, with reference to their amount, were cognizable by the courts of inferior jurisdiction. The reasons given for their retention are in most cases sufficient. With reference to the suits, the documents in which are in the English language, the attention of the Judge will be called to the Circular Order of the 18th October, 1839.

518. Mr. Biscoe was Judge of the district of 24-Pergunnahs throughout the year. He sat 105 days in the civil court, during which he disposed of 224 suits in the manner noted in the margin.* Four (4) regular and one special appeal from the decisions of Mr. Biscoe to the Sudder Court, were undecided at the close of the year.

* Decided on trial,.....	202
Dismissed on default,...	16
Adjusted or withdrawn,	6
Total...	224

519. The office of Additional Judge was abolished in March 1839. Mr. A. Grant, the Additional Judge, disposed of four cases, all decided on trial during the period of the year he held that office.

520. The Principal Sudder Ameen, Roy Radha Gobind, disposed of 317 suits in the manner noted in the margin.* There were 7 appeals from this officer's decisions pending at the close of 1838, and 55 were preferred during the year 1839, making a total of 62; of these 8 were decided in the manner noted in the margin,† and 54 remained on the Judge's file at the close of the year. The number of appeals taken up by the Judge was very small. Mr. Biscoe, however, observes regarding the Principal Sudder Ameen, that he has every reason to be satisfied with the industry and judgment evinced by him in the discharge of his duties, and that he considers him a valuable officer.

* Decided on trial,.....	249
Dismissed on default,...	57
Adjusted or withdrawn,	11
	317
† Confirmed, ...	2
Reversed or modified,...	6*
	8

* Of these 5 were returned for re-trial.

521. The late Sudder Ameen, Chunder Seekur Chowdree, having been promoted to the Principal Sudder Ameenship of Zillah Backergunge, vacated his appointment in the 24-Pergunnahs on the 4th April, having decided 30 suits during the period he was in charge of the office. He was succeeded by Mr. J. J. Jordon, who joined the appointment on the 20th of June, and disposed of 157 suits during the remainder of the year, of which 110 were tried and decided on their merits. There were 32 appeals from his decisions during the year, but none of them had been taken up by the Judge. Mr. Biscoe makes the following remarks regarding this officer: "I have not yet had leisure to hear any of the appeals from his decisions in regular suits, but the orders which he has passed in miscellaneous business, which have come before me, evince correct judgment, and I have reason to be satisfied with the quantity of business disposed of. The objectionable conduct which I attributed to him in other respects, has been brought fully to the notice of the Court,* in my letter of the 31st July, and its enclosures."

* The objectionable conduct of Mr. Jordon, alluded to by the Judge, was thus noticed by the Court, in their proceedings of the 21st February last:

"Read a letter (No. 15, dated 29th ultimo) from the Judge of 24-Pergunnahs, with the reply of the Sudder Ameen to the charges preferred against him.

522. The Moonsiffs of the district of 24-Pergunnahs disposed of 5370 suits in the manner noted in the margin.* A statement of appeals from their decisions is also given;† with reference to the number (868) of suits that were defended in the courts of the Moonsiffs, the Court cannot consider the result to be altogether satisfactory. The Judge speaks favorably of the Moonsiffs named in the margin,‡ especially of Mahomed Aslah, Moonsiff of Busheerhaut, whom he strongly recommends for promotion to the 1st grade of Moonsiffs.

* Decided on trial, ... 2856
Dismissed on default, 1229
Adjusted or withdrawn, 1283
Total... 5370

† Pending of 1838,..... 82
Admitted in 1839,..... 352
434
Confirmed, ... 110
Modified or reversed, ... 144
Dismissed on default,..... 36
Adjusted or withdrawn, ... 3
Pending, ... 132
434

‡ Mahomed Ruffah, Moonsiff of Bishenpore,..... 1st Grade.
Fuzli Rubbee, do of Manicktollah, ..
Fyazoodeen Mahomed, do. of Puttergatta, ...
Mahomed Aslah, Moonsiff of Busheerhaut,..... 2d do.
Mr. Davidson, do. of Sulkeah, ...

RESOLUTION.

First Charge.—For collusion with Kalleenath Sein, the late Serishtedar of his court, and Kalleodas Sandel, in corrupt attempts to obtain money from Ram Narain Nag, for affording the aid of the court in suing out execution of a decree.

1. *First Charge.*—The Court are of opinion, that there are no sufficient grounds for considering Mr. Jordon guilty of the very grave and serious offence indicated in the first charge, and acquit him thereof accordingly. They remark, however, that Mr. Jordon was irregular in not recording his order on the petition of Ram Narain Nang.

Second Charge.—For employing Kalleodas Sandel to perform the duties of the court, such person not being in the establishment of the court; and for denying that he had so employed Kalleodas Sandel.

2. *Second Charge.*—It does not appear that Kalleodas Sandel was employed in assisting the amlah with the knowledge of the Sudder Ameen, nor that he was a follower of Mr. Jordon's.

Third Charge.—For having appointed several persons, his dependants, to aid the regular establishment in the discharge of the duties of the court, with a view to their participating in the emoluments of office.

3. *Third Charge.*—This charge, the Court observe, is rather vague. But it has been established that one individual, Goluck Soondor Sein, was ordered by Mr. Jordon to assist the Nazir. The explanation on this point is unsatisfactory; and the Court consider Mr. Jordon's conduct in this matter to be highly blameable.

Fourth Charge.—For denying that he had appointed more than one person, viz., in aid of the Nazir, whereas he had so employed several persons.

4. *Fourth Charge.*—The Court do not consider the fourth charge proved.

Fifth Charge.—For removing an officer on the establishment, with the sole view of appointing one of his dependants to succeed to the vacancy; and for having abolished two situations in the establishment, with the sole object of appropriating the salaries of those situations to increase the salary of Callenath Sein, his former Seristedar at Backergunge, whom he had appointed to hold that situation in the 24-Pergunnahs; such conduct being directly opposed to the Circular Orders of the Court of Sudder Dewanny Adawlut under date the 5th October 1838.

5. *Fifth Charge.*—This charge is, in the opinion of the Court, fully established. Mr. Jordon abolished two situations, in order to increase the salary of the Serishtedar, his own nominee, and brought from Backergunge expressly for that purpose, while he at the same time ordered another of his protegés to assist the Nazir. The dismissal of Moheschunder Mohurrir, for an offence which had occurred in the time of his predecessor, who had taken such notice of it as appeared sufficient, was also altogether unwarrantable.

6. On a review of the whole of the proceedings, the Court see much in Mr. Jordon's conduct deserving severe reprehension. The Judge will be requested to admonish him accordingly, and to caution him regarding his future proceedings."

523. Twenty (20) suits were pending before the Collector at the close of the year, under the provisions of Section 30, Regulation II. 1819. No suits were tried with the aid of assessors, under Regulation VI. 1832. Seven (7) suits were instituted to set aside summary awards of the revenue authorities for arrears of rent.

524. The total amount or value of the original suits and appeals pending on the 1st January 1840, was as follows:

	Original suits.	*Appeals.*	*Total.*
Before Judge,.....	436448	88008	524456
Ditto P. S. Ameen, ...	741663	12150	753813
Ditto S. Ameen, ...	34583	0	34583
Ditto Moonsiffs,.....	78660	0	78660
Total	1291354	100158	1391512

MISCELLANEOUS CASES.

525. The miscellaneous file of the district of 24-Pergunnahs on the 1st January 1839 and the 1st January 1840, was as follows:

	1839.	1840.
Before Judge, ...	492	358
Ditto Additional Judge, ...	132	0
Ditto P. S. Ameen, ...	239	388
Ditto S. Ameen, ...	108	64
Ditto Moonsiffs, ...	1061	962
	2032	1772

shewing a decrease of 260 cases.

526. The marginal statement* shews the cases of importance on the Judge's file. The number under the 3d head is considered by the Court to be very large. The statement in the margin† shews the number of appeals, from the Judge's orders in miscellaneous cases, to the Sudder Court, and the manner in which they were dealt with. The result is creditable.

*Applications for special appeal, ... 26
Summary appeals under Sec. 3, Reg. XXVI. 1814, and Act XXII. 1838, 7
Ditto under Regulation VII. 1823,..... 101
Execution of decrees, 45
†Pending of 1838,..... 7
Preferred in 1839, ... 85
92

Confirmed, ... 38
Reversed or modified, ... 12
Dismissed on default,..... 8
Pending, ... 34
92

527. The file of the Principal Sudder Ameen has considerably increased; and on the 31st December there were 28 cases of claims preferred to property

advertised for sale in execution of decrees, which had been pending upwards of a year. The Court consider this to be very unsatisfactory, as such cases should be disposed of without delay.

528. The files of the Sudder Ameen and Moonsiffs are light, and call for no particular remarks.

529. The marginal statements* show the number of applications for the execution of decrees, together with the years in which the applications pending on the 1st January 1840, were instituted. There has been a slight improvement in this department of the court's labors, though the number of old cases is still large.

* Pending of 1838, ... 1120
Admitted in 1839,..... 1891

Total,... 3011
Disposed of in 1839,... 1976

Balance,..... 1035
Before 1835,..... 40
In 1835,..... 13
„ 1836,..... 41
„ 1837,..... 59
„ 1838,..... 101
„ 1839,..... 781

1035

GENERAL REMARKS.

530. The statements for the district of 24-Pergunnahs were forwarded by the Judge, Mr. Biscoe, with his letter of the 1st February last. They shew a favorable state of things on the whole. The Court have nothing to add to the observations already recorded regarding the Native Judges. They remark that Mr. Biscoe conducted the duties of his own office in a satisfactory manner.

CONCLUDING REMARKS.

531. In submitting the present report, the Court would call the attention of the Right Honorable the Governor to the Statements appended, which have been in some degree altered from those forms which accompanied the report for the preceding years, and have been made to assimilate, as nearly as possible, with the forms submitted with my letter No. 2852, dated the 14th ultimo, and proposed for adoption in future years. The information at present before the Court, has prevented the preparation of the annexed returns in exact conformity with those forms in a few instances.

532. Statement No. 1, is intended to shew the state of business in the Court of Sudder Dewanny Adawlut, as regards the regular file of the Court. The Court regret to observe an increase of 129 suits at the close of the year, as compared with the corresponding period of the preceding year. It appears unnecessary to dwell upon the causes which have led to this increase, in the absence of any remarkable augmentation in the number of suits instituted during the year 1839, as the matter has already formed the subject of a lengthened correspondence with the Government, and effectual measures have been taken to reduce the arrears now pending in the Court.

533. Statement No. 2, has been prepared with a view to ascertain the judicial qualifications of the District Judges, as tested by the result of the appeals from their decrees which have been heard and decided by the Sudder Court during the period under review. This statement will be rendered much more complete in future years by the addition of a column, in which will be entered the opinion of the

Court on the general character of the decisions of the District Judges. It is necessary to observe, that no comparison should be made between the aggregate number of cases exhibited in this statement, and the number shewn as decided in Statement No. 1, as each case of special appeal has been twice entered in Statement No. 2; two decisions having been passed in each before the case was brought into the Sudder Court.

534. Statement No. 3, shews the state of the regular files of the District Judges of every grade; and No. 4, is an abstract of the foregoing, shewing the general state of business in each Zillah. The Court observe, that while there has been a decrease on the whole of 4058 in the number of suits disposed of during the year 1839, as compared with 1838, there has been a decrease of 1274 suits in the number pending at the close of the year.

535. Statement No. 6, shews the provisions of Regulation VI. 1832, to be only partially in force in the districts comprising the jurisdiction of the Court. A number of suits were decided in Rungpore with the aid of assessors. It was stated, however, in the report for 1837, that the assessors were chiefly the Vakeels and Mooktars attached to the Judge's court. The Court cannot consider this to be a successful introduction of the mode of trial by assessors into the district of Rungpore.

536. Statements Nos. 6, 7, and 8, do not appear to call for any particular remark.

537. Statement No. 9. To the usual statement shewing the total value of regular suits, whether original or appeal, depending in the several Zillah and City Courts, a second part has been added, shewing the average value of each original suit in the courts of the Principal Sudder Ameens, Sudder Ameens, and Moonsiffs.

538. Statement No. 10, sufficiently explains itself. The memoranda at the foot of it shew that while a larger proportion of the decisions of the Sudder Ameens and Moonsiffs have been reversed by the Principal Sudder Ameens, than by the Zillah Judges, as compared with the number confirmed by those officers respectively, the proportionate number of the decisions of the Principal Sudder Ameens, which have been reversed in special appeal, considerably exceeds the number of reversals in suits originally decided by those officers.

539. The Statements Nos. 11, 12, and 13, shew the state of the miscellaneous files of the District Judges of every grade, as regards the cases of most importance. The great number of miscellaneous applications and orders of course, which are inserted in the Zillah returns, have been purposely omitted; as the exhibition of a large numerical return of cases disposed of, without a full explanation of their character, would only tend to mislead the Government and the Home Authorities, in regard to the quantity of business transacted by the several Judicial functionaries.

540. The Court consider the administration of justice in the several districts subordinate to their jurisdiction, with very few exceptions, to be prompt and efficient. In the districts of Chittagong, Dacca, and Behar, the files are very heavy; and in Tirhoot there has been a falling off in the state of things in the Judge's court, so as to require the appointment of an additional Judge. In the district of Sarun, the miscellaneous files are heavy; but in other respects the business of the courts is in a satisfactory state.

541. The District Judges named in the margin* appear to the Court to be entitled to the favorable notice of Government for their judicial qualifications, general assiduity in business, and their efficient supervision of the proceedings of the subordinate courts. The Court consider that the measures adopted, and the pains taken, by Mr. Hathorn, the Judge of Cuttack, to secure an efficient administration in the courts subordinate to him, are extremely creditable to that officer.

* Mr. R. Barlow.
" H. Nisbet.
" H. V. Hathorn.
" C. Cardew.
" J. H. D'Oyly.
" F. Gouldsbury.
" T. A. Shaw.
" B. Golding.
" R. Torrens.
" J. F. Cathcart.

542. The Court have every reason to think favorably of the Principal Sudder Ameens as a body, from the review of cases brought before them during the year under the operation of Act XXV. 1837, in appeal from the decisions of those officers. The Principal Sudder Ameens named in the margin,* have been very attentive to their duties, and have transacted the business of their respective courts to the satisfaction of their superiors. Another officer, Hedayut Allee Khan, Sudder Ameen of Shahabad, but who officiated as Additional Principal Sudder Ameen of Tirhoot, is spoken of in high terms of commendation by the Judge of that district.

* Moolvee Mahomed Faik, P. S. A. of Beerbhoom.
Moolvee Mahomed Majeed, ... Bhagulpore.
Syud Jonab Allee, ... East Burdwan.
Sheikh Obedoollah Khan, ... Chittagong.
Mr. Reily, ... Dacca.
Syud Abbas Allee, ... Ditto.
Byjnath Sein, ... Jessore.
Sumbhoonath Roy, ... Moorshedabad.
Moolvee Izzut Allee, ... Nuddea
Ajodhea Pershad Tewaree, ... Patna.
Syud Imdad Allee, ... Ditto.
Moolvee Rooknooddeen, ... Purneah.
Moolvee Abdool Allee, ... Rajshahye.
Fyzlool Huk, ... Sarun.
Mr. DaCosta, ... Ditto.
Sheik Alleebuksh, ... Shahabad.
Mahomed Idris Khan, ... Sylhet.
Cazee Mahomed Allee, ... Tipperah.
Moolvee Abdool Wahid Khan, ... Tirhoot.
Roy Radha Gobind, ... 24-Pergunnahs.

543. The officers, named in the margin,* of the grade of Sudder Ameen, have been noticed by the Judges of their respective districts as having discharged their duties in a very satisfactory manner.

* Syud Hussen Buxsh, ... Beerbhoom.
Mahomed Rufeek, ... Bhagulpore.
Mr. C. Mackey, ... Dinagepore.
Hurro Chunder Ghose, ... Hooghly.
Moolvee Nujjum-ool Huk, ... Moorshedabad.
Ramkoomar Chowdree, ... Rajshahye.
Mahomed Sudeek, (acting) ..... Shahabad.
Sham Ram, ... Sylhet.
Ram Lochun Ghose, ... Tipperah.
Salamut Allee, ... Tirhoot.

544. The Moonsiffs, who have most distinguished themselves during the year, have been mentioned in the resolutions on the returns from the several districts. A considerable difference of opinion still prevails among the District Judges as to the efficiency of the courts of the Moonsiffs. The Court have no doubt, that the proposed plan of subjecting all candidates to an examination before Provincial Committees, which is about to be brought into immediate operation, will tend materially to raise the character of this class of Native Judges. This subject has been noticed in the 26th paragraph* of the letter from the Judge of West Burdwan, which the Court proposed to consider ere closing this report. With reference to the 27th paragraph of Mr. Gouldsbury's report, in which he suggests that the office of pleader should be made a stepping stone to that of Moonsiff, the Court are of opinion, that the candidates, who proved successful in obtaining diplomas of efficiency at the periodical examinations, might advantageously be admitted to

* See para. 144 of this report.

practise as pleaders in the Zillah courts. The Court observe, that eight officers, of the grade of Moonsiff, were dismissed from their situations for various acts of misconduct during the year 1839.

545. Mr. Gouldsbury observes in the 24th paragraph of his report, that rather too much stress is laid on the quantity of work required from the several judicial functionaries. In regard to this, the Court have only to observe, that a certain quantity of work must be required from those officers; a minimum standard, however, has been fixed by the Court, and very seldom indeed do the judicial officers work up to it.

546. There are one or two other points adverted to by Mr. Gouldsbury in the 21st and 25th paragraphs of his report, which, together with the observations of the Judges of Hooghly and East Burdwan on the present law of special appeal, the Court, in their resolutions on the returns from those districts, expressed their intention of alluding to, at the conclusion of their report. As, however, they refer to questions of law, the Court are of opinion, on further consideration, that it will be advisable to discuss them separately.

547. With reference to Mr. Secretary Mangles' letter No. 823, dated 25th April 1837, the Court observe, that Mr. C. W. Smith, the Junior Member of the Sudder Board of Revenue, on duty at Chittagong, has been directed by the Government to institute a special inquiry into the causes of the great extent of litigation in that district. They do not consider that the circumstances of any other districts call for special inquiry.

548. A list of the principal circular orders issued by the Court during the past year, with a view to simplify and expedite the administration of civil justice, will be found in the Appendix.

I have the honour to be,

Sir,

Your obedient humble servant,

J. HAWKINS,

Register.

FORT WILLIAM;
The 21st August, 1840.

APPENDIX No. I.

Extract of a letter from the Additional Judge of Chittagong to the address of the Judge of that District, dated the 13th January, 1840.

Para. 28. It will not have escaped your observation, in sending up the periodical Statements which we furnish to the Sudder Dewanny Court, regarding cases that have been pending more than 2 years in our own courts, and those subject to our control, that more than half of those cases are pending from the neglect of the Settlement Officers in replying to calls for information. We have already been obliged to execute our own decrees, without reference to the Revenue Authorities, in consequence of the delay of those Authorities in giving effect to them; and I think the business of the civil court will be more effectually performed if all references are discontinued. There are several cases in my office in which the request *for information has been repeated for years without a reply.* In every other district where the detailed measurement is in progress, the Revenue Authorities have given their willing co-operation to assist the civil court. In this district the object appears to have been to offer every possible obstacle to the court.

Extract of a letter from the Commissioner of the 16th Division to the address of the Judge of Chittagong, dated the 22d January, 1840.

Para. 1. Mr. Stainforth, Additional Judge of Chittagong, having forwarded, for my information, copy of paragraphs 28 and 29 of a Report made by him to you on delivering over charge of his office of Additional Judge to you, I deem it proper, to avoid the possibility of your supposing that I concur either in the correctness or propriety of Mr. Stainforth's strictures, to remark as follows :

2. It is very possible, as Mr. Stainforth states in his 28th paragraph, that many requisitions made to the Settlement Officers for information by the civil courts, have not been replied to; but this arises not from the cause to which Mr. Stainforth attributes it, "the wish to offer every possible obstacle to the civil court," but to the vast mass of business before these officers, and the necessity of their satisfying themselves and me of the correctness of any returns they may make to the civil court before these returns can be made. As I have reason to believe you are fully aware of the above being the real solution of any delay apparent in replying to these requisitions by the Settlement Officers, I will only further remark in their exculpation, and in justice to them, that not one single instance has come before me justifying, in the remotest degree, Mr. Stainforth's assertion; and were that officer now in charge of his office, I would request him to point out any single instance warranting him in the assertion he has made, that the object of the Settlement Officers appears to be in this district to offer every possible obstacle to the civil court. To prevent

any doubt of industry of the Settlement Officers to be inferred from Mr. Stainforth's letter, without instituting any invidious comparison as to the proceedings in the offices of Additional Judge, Sudder Ameens, and Moonsiffs, and the Settlement Officers, I feel assured I am not mistaken in asserting that the quantity of labor performed by the latter, will satisfy every impartial judge as to the industry with which their duties are in general performed by these officers in this district.

Extract of a letter from the Judge of Chittagong to the Register of the Sudder Dewanny Adawlut, dated the 14th February, 1840.

Para. 61. With reference to the 28th and 29th paragraphs of Mr. Stainforth's letter to my address, wherein he mentions having forwarded a copy of his sentiments on the subjects alluded to, to the Commissioner of Revenue, I enclose a copy of the reply of that officer addressed to myself, and consider it only necessary to remark, that I have for some months back directed the Principal Sudder Ameens to abstain in future from requiring information from the Settlement Officers, in matters which can be reported upon by the Ameens appointed under the orders of the superior Court dated the 5th February 1838, and also in the execution of decrees; not from an impression that obstacles were actually offered, but that the Commissioner, in instructing his subordinates to give effect to orders of the civil court, erroneously clogged them with so many conditions and extra investigations that the execution of the court's intentions appeared problematical, and the carrying of them into effect in their original integrity impossible. This was the most apparent in the execution of decrees, which the Commissioner of Revenue, in his directions to the Settlement Deputy Collectors, virtually postponed until his proceedings in the settlement had tested the correctness of the decree, thereby involving the possibility of its provisions being in some degree set aside at the discretion of the Revenue Authorities.

APPENDIX No. II.

List of the Circular Orders referred to in paragraph 548 of the Report.

1. Communicating instructions regarding the legality of dividing a claim into several parts; regarding interest or Wasilaut accruing subsequently to the institution of a suit, and while it may be pending, and interest or Wasilaut accruing from the date of the decree; and also regarding the treatment of orders passed on the execution of a decree, carrying out the original intentions of the decree.	11th January.
2. A decree-holder purchasing property brought to sale in satisfaction of his decree, may file his receipt for the amount of his claim in lieu of an equivalent amount of purchase money; provided the claims of other parties and the demands of Government for revenue, are not compromised.	8th January.
3. Calling for an annual report on the register books.	8th March.
4. Calling for a report of the practice observed in the districts in regard to the payment of money realized in satisfaction of the decrees of the Moonsiffs' courts.	22nd March.
5. Directing that in future the stamps used in petitions of appeal which are remanded for further investigation, be forwarded to the Collector for verification.	10th May.
6. Communicating instructions for the preservation and repair of glazed doors and windows.	31st May.
7. Communicating orders of the Government regarding applications from uncovenanted servants for leave of absence.	7th June.
8. Native judges are competent of their own authority to realize fines imposed by them under Clause 1, Section 18, Regulation X. of 1829.	7th June.
9. Communicating orders in regard to reviewing the decisions of a Judge who has obtained leave of absence exceeding six months, and who is likely to remain absent in excess of that period.	7th June.
10. Principal Sudder Ameens are not authorised to remand cases to the Sudder Ameens and Moonsiffs for re-trial, without the sanction of the Judge.	14th June.
11. Prescribing the rate of payment for copying proceedings in cases appealed to the Sudder Court.	28th June.

28th June. 12. Remuneration granted to a special agent not recoverable, by a successful suitor, from the losing party.

5th July. 13. Resolution declaring the Oordoo to be the language of record in the Sudder Court, and prescribing further rules in regard to the introduction of the vernacular languages into the courts of justice.

12th July. 14. Communicating instructions in regard to fixing the time within which appellants must file security for costs.

2nd August. 15. Transmitting for information copies of correspondence regarding discontinuance of the practice of forwarding to the Stamp Office, for examination, petitions of plaint filed in suits adjusted by razeenameh.

16th August. 16. Communicating instructions in regard to entry in Statement No. 1, Part 1, of suits again brought on the file consequent on a summary appeal under Section 3, Regulation XXVI. of 1814, and Act XXII. of 1838. Mode in which additions are to be made to the appendix of Circular No. 28, Vol. III.

23rd August. 17. Supersession by Acts VII. and XXII. of 1838, of the provisions of Clause 2, Section 27, Regulation XXIII. of 1814, and the construction thereon of 21st February, 1834, relative to appeals.

23rd August. 18. Requesting particular attention to existing instructions relative to the proper course to be followed by the Judge in taking up petitions of appeal under Clause 3, Section 16, Regulation V. of 1831, and Act VII. of 1838, when the petitioner may not be in attendance in person or by vakeel.

10th September. 19. Principal Sudder Ameens required to conform to the practice of the Zillah Courts in forwarding their certificates of appeal, and in making their returns to the Court's precepts under Act XXV. of 1837, substituting the vernacular for the English language.

20th September. 20. Prescribing rules for the observance of the subordinate courts in regard to the preparation of their final decrees, and transmission to the Judges' courts of the records of decided cases by the inferior tribunals.

20th September. 21. Communicating the orders of the Government on the subject of travelling allowances to the amlah of officers in the Mofussil, when on duty in the interior of their districts.

11th October. 22. Directing an addition to be made to paragraph 4, of the Circular No. 10, dated 20th July 1838, regarding the mode of entering, in the periodical statements, suits in which verbal representations may be made by the plaintiffs or their vakeels of their having abandoned the prosecution of the suit from any cause.

11th October. 23. Officers in charge of current duties of the office of Civil and Session Judges, have the power of giving leave of absence for a limited term, in urgent cases, to the vakeels and amlah.

24. Communicating instructions in modification of paragraph 4 of the Circular No. 4, dated 23d February 1838, regarding the cognizance by Principal Sudder Ameens of suits in which English documents may form a part of the evidence. — 18th October.

25. Communicating instructions regarding the extent of the powers vested in the civil courts, in putting auction purchasers in possession of property purchased by them, on a requisition of the Collector under Clause 1, Section 28, Regulation XI. of 1822. — 1st November.

26. Communicating instructions in regard to the description of documents, of which copies should be given to pauper plaintiffs on plain paper, under Section 8, Regulation XXVIII. of 1814. — 1st November.

27. The introduction of the Nagri character in writing the Oordoo language to be gradually and cautiously effected. — 1st November

28. Instructions regarding applications for copies of papers connected with suits pending before the Native Judges. — 13th November.

29. Rules to be observed, and mode of address to be adopted, by Native Judges, when corresponding on matters of business with covenanted officers and natives of rank. — 16th November.

30. Transmitting two forms of certificates, in English, Bengalee, and Hindoostanee, applicable to occasions of refund of stamp duty. — 6th December.

31. Communicating instructions regarding the appointment and duties of pergunnah Cazees. — 6th December.

32. Instructions in respect to the entry, in the registers, of cases above Rupees 5000 in amount, retained by the Principal Sudder Ameens under paragraph 13 of Circular No. 49, 20th September 1839. — 20th December.

List of Statements of Regular and Summary Suits depending in the several Civil Courts of the Lower Provinces on the 1st January 1840.

I. Annual Abstract Report of Appeals depending before the Presidency Court of Sudder Dewanny Adawlut on the 1st January 1839 and the 1st January 1840, and of the number admitted and disposed of during the year 1839.

II. Statement shewing the names of the Officers who originally decreed the Cases disposed of in Appeal by the Sudder Dewanny Adawlut in the year 1839, with the results of the appeals preferred. The figures with asterisks shew the number of special appeals.

III. Abstract Statement of Regular Causes depending on the 1st January 1839 and the 1st January 1840, and of the number admitted and disposed of during the year 1839, in the several Zillah and City Courts in the Lower Provinces, respectively.

IV. Abstract Statement shewing in one view the number of Cases that were pending in the several Lower Courts on the 1st January 1839, the number admitted during that year, the number disposed of, and the number depending at the end of the same year, with the discrepancies which returns exhibit.

V. Statement of Civil Suits tried and decided under Regulation VI. 1832, in the Lower Provinces, during the year 1839.

VI. Abstract Statement shewing the years in which the Regular Suits and Appeals, depending before the Sudder Dewanny Adawlut, the Zillah and City Judges, Principal Sudder Ameens, Sudder Ameens, and Moonsiffs, were originally instituted.

VII. Statement intended to shew the period which would elapse before the decision of the Regular Suits depending in the Civil Courts on the 1st January 1840, if calculated according to the average number of decisions passed during the last five years.

VIII. General Abstract Statement of the different descriptions of original Suits, instituted before the Judges and Moonsiffs of the several Zillah and City Courts, in the Lower Provinces, during the year 1839.

IX. Statement shewing the total value or amount in Company's Rupees (without fractions) of Regular Suits, whether Original or in Appeal, depending in the several Zillah and City Courts, in the Lower Provinces, on the 1st January 1840.

IX. Part 2. Statement of the Amount or Value of the Original Suits pending in the Courts of the Principal Sudder Ameens, Sudder Ameens, and Moonsiffs, at the end of 1839, shewing the average value of each suit.

X. Abstract Statement exhibiting the number of Appealable Cases decided by the several classes of Native Judges in the year 1839, the number of Appeals

actually preferred from their decisions within the year, and the number of previous Appeals pending on the 1st January of that year, with the manner in which the Appeals were disposed of.

XI. Statement of Summary and Miscellaneous Suits disposed of by the Judges during the year 1839, and depending on the 1st January 1839 and the 1st January 1840.

XII. Statements of Summary and Miscellaneous Suits disposed of by the Principal Sudder Ameens, Sudder Ameens, and Moonsiffs, during the year 1839, and depending on the 1st January 1839 and the 1st January 1840.

XIII. General Abstract of Summary and Miscellaneous Suits disposed of during the year 1839, and depending on the 1st January 1839 and the 1st January 1840.

No. I.

ANNUAL Abstract Report of Appeals depending before the Presidency Court of Sudder Dewanny Adawlut on the 1*st January* 1839 *and the* 1*st January* 1840, *and of the number admitted and disposed of during the year* 1839.

	Depending on the 1st Jan. 1839.	Admitted in the last 12 Months.	Total.	Disposed of. Decreed on trial.	Dismissed on default	Adjusted or withdrawn.	Transferred to other jurisdictions	Total.	Depending on the 1st January, 1840.	Increase.	Decrease.
Regular Appeals,	451	177*	628	98	23	9	0	130	498	47	0
Special Appeals,	156	129	285	44	1	2	0	47	238	82	0
Total,.....	607	306	913	142	24	11	0	177	736	129	0
Comparative Statement of 1838 *and* 1839.											
1838, ...	517	293	810	182	7	14	0	203	607	0	0
1839, ...	607	306	913	142	24	11	0	177	736	0	0
Increase, ...	90	13	103	0	17	0	0	0	129	0	0
Decrease, ...	0	0	0	40	0	3	0	26	0	0	0

* Of these, 95 were preferred to the Court from the decisions of the Principal Sudder Ameens, under the provisions of Section 4, Act XXV. 1837.

MEMORANDUM shewing the number of cases finally decided or opinions recorded by the several Judges of the Sudder Dewanny Adawlut in 1839.

	Regular.	Special.	Opinions.
Mr. Rattray, ...	18	10	5
Mr. Braddon,.....	10	10	9
Mr. Money, ...	9	2	0
Mr. Tucker, ...	21	9	20
Mr. E. Lee Warner,	8	6	33
Mr. Dick, ...	34	7	8
Mr. Reid, ...	30	3	0
Total,.....	130	47	75

SPECIFICATION of appeals, regular and special, depending before the Court of Sudder Dewanny Adawlut on the 1st January, 1840.

Not exceeding Rs...	500	123	Amount or value	24503
Ditto	1600	158	.....	174150
Ditto	5000	148	.....	712993
Ditto	10000	157	.....	1240073
Exceeding...	10000	150	.....	9059018
Total, ...		736	.....	11210737

No. II.

STATEMENT shewing the names of the Officers who originally decreed the Cases disposed of in Appeal by the Sudder Dewanny Adawlut in the year 1839, with the Results of the Appeals preferred.—The figures with asterisks shew the number of Special Appeals.

Names of the Officers who disposed of the Suits.	Appointment held by the deciding Officer.	Confirmed.	Modified.	Reversed.	Remanded for further investigation.	Struck off on default, adjusted, &c.	Total.
Mr. R. Barlow,	Judge of Rajshahye,	4	0	0	0	1	5
Mr. J. C. Brown,	Judge of Behar,	0	0	0	0 2*	0	0 2*
Mr. C. Cardew,	Judge of Backergunge,	0 1*	0	0	0	0	0 1*
Mr. J. F. Cathcart,	Judge of Jessore,	1	0	0	0	0 1*	1 1*
Mr. G. C. Cheap,	Judge of Mymensing,	0	1	0	1 1*	5 1*	7 2*
Mr. J. F. G. Cooke,	Judge of Dacca,	2 1*	0	2	4 2*	1	9 3*
Mr. R. E. Cunliffe,	Officiating Judge of Patna,	1	0	0	0	0	1
Mr. J. Curtis,	Judge of Calcutta Provincial Court and Judge of Burdwan,	0 1*	1	1	0	0	2 1*
Mr. T. R. Davidson,	Judge of Sarun,	1 1*	0	0	0	0	1 1*
Mr. W. Dent,	Judge of Jungle Mehals,	0	0	0 1*	0	0	0 1*
Mr. A. Dick,	Judge of Midnapore,	1	0	0	1 1*	1	3 1*
Mr. J. H. D'Oyly,	Judge of Beerbhoom,	0	0	0 1*	0 1*	0	0 2*
Hon'ble J. C. Erskine,	Officiating Judge of Midnapore,	0	0	0	0 1*	0	0 1*
Hon'ble R. Forbes,	Judge of Dinagepore,	0	0	0	0	1	1
Mr. C. Garstin,	Officiating Judge of Jessore,	1	0	0	0	0	1
Mr. B. Golding,	Judge of Backergunge,	2	0 1*	0	1	1	4 1*
Mr. G. Gough,	Additional Judge of Tirhoot,	0 1*	0	0	0	0	0 1*
Mr. F. Gouldsbury,	Additional Judge of Behar,	2	0	0	2 2*	2	6 2*
Mr. H V. Hathorne,	Judge of Cuttack,	0 1*	0	1	0	1	2 1*
Mr. J. Hawkins,	Judge of Shahabad,	1	0	0	0	0	1
Mr. A. Heyland,	Judge of Behar,	1	1	0	0	0	2
Mr. H. S. Lane,	Additional Judge of Shahabad,	0	0	0	0 1*	0	0 1*
Mr. E. Lee Warner,	Judge of Bhagulpore,	1	0	0	0	0	1
Mr. H. Moore,	Judge of 24-Pergunnahs, „ „ Chittagong, „ „ Nuddea,	2	0	1	1 1*	1 1*	5 2*
Mr. G. J. Morris,	Judge of Patna,	3 1*	0	0 1*	0	0	3 2*
Mr. H. Nisbet,	Judge of Purneah,	0	0	1 1*	0	0	1 1*
Mr. H. S. Oldfield,	Judge of Moorshedabad, „ „ Tirhoot,	1	0	0	1 1*	0	2 1*
Mr. W. A. Pringle,	Judge of Purneah, „ „ Sarun,	3 1*	0	0	0	1	4 1*

Mr. E. C. Ravenshaw,	Additional Judge of Patna,	0		0		0		0	2*	0		0	2*
Mr. H. P. Russell,	Additional Judge of Nuddea,	5		1		0		2		0		8	
Mr. T. A. Shaw,	Judge of Purneah, / " " Rungpore,	1		0		3		0		1		5	
Mr. J. Shaw,	Judge of Tipperah,	1	2*	0		0		1		0		2	2*
Mr. A. Smelt.	Judge of Moorshedabad, / " " Backergunge,	0		0		0		1		1		2	
Mr. J. Stainforth,	Judge of Backergunge,	0		0		0		2		1		3	
Mr. C. W. Steer,	Judge of late Provincial Court of Moorshedabad,	0		0		1		0		0		1	
Mr. J. W. Templer,	Judge of Patna,	3	1*	0		0		0		1		4	1*
Mr. R. Torrens,	Judge of Mymensing.	0		0		0		0	1*	0		0	1*
Mr. R. Trotter,	Officiating Judge of Nuddea,	0		0		0		0		1		1	
Mr. C. G. Udny,	Officiating Judge of Sarun,	0		0		0		0	2*	1		1	2*
Mr. T. Wyatt,	Judge of Dinagepore, / " " Bhagulpore,	1	1*	0		0		1	1*	2		4	2*
Abdool Wahid Khan,	Principal Sudder Ameen of Tirhoot,	0		0		0		0	1*	0		0	1*
Abdoo Summud,	Principal Sudder Ameen of Midnapore,	3	1*	0		0		0	1*	0		3	2*
Ajoodhea Pershad Tewarry,	Principal Sudder Ameen of Patna,	0	2*	0		0		0	1*	0		0	3*
Byjnath Sein,	Principal Sudder Ameen of Jessore,	1		0		0		0		0		1	
Cazee Mahomed Allee,	Principal Sudder Ameen of Tipperah,	0		0	1*	0	1*	0		1		1	2*
Doorganarain Roy,	Principal Sudder Ameen of Burdwan.	0	1*	0		0		0		0		0	1*
Futteh Allee Khan,	Principal Sudder Ameen of Behar,	0		0		0		0	3*	1		1	3*
Hurrenarain Roy,	Principal Sudder Ameen of Jessore,	0		0		0		0		0	1*	0	1*
Izzut Allee,	Principal Sudder Ameen of Nuddea,	0		0		0		0	1*	0		0	1*
Jelalooddeen Mahomed,	Principal Sudder Ameen of Mymensing,	0		0		0		0	1*	0	1*	0	2*
Mahomed Idris Khan,	Principal Sudder Ameen of Sylhet,	0		0	1*	0		0		0		0	1*
Mahomed Khoorshed,	Principal Sudder Ameen of Mymensing,	0		0		0		0	1*	0		0	1*
Moolvee Gholam Russool,	Principal Sudder Ameen of Cuttack,	0		0		0	1*	0		0		0	1*
Moolvee Mahomed Majid,	Principal Sudder Ameen of Bhagulpore,	0	1*	0		0		0	1*	1		1	2*
Moonshee Mahomed Faik,	Principal Sudder Ameen of Beerbhoom,	0		0		0	1*	0	1*	0		0	2*
Neamut Allee Khan,	Principal Sudder Ameen of Behar,	0		0		0		0	2*	0		0	2*
Mr. Reily,	Principal Sudder Ameen of Dacca,	0		0		0		0	1*	0		0	1*
Ruknooddeen,	Principal Sudder Ameen of Purneah,	0	1*	0		0	1*	0		0		0	2*
Soojaooddeen Allee Khan,	Principal Sudder Ameen of Tirhoot,	1		0		0		0	2*	0		1	2*
Sumboonath Roy,	Principal Sudder Ameen of Moorshedabad,	1		0		0		0		2		3	
Syud Abbas Allee Khan,	Principal Sudder Ameen of Dacca,	0	1*	0		0		0	1*	0		0	2*
Syud Ahmed Khan,	Principal Sudder Ameen of Hooghly,	0		0		0	1*	0		0		0	1*
Syud Fuzlool Huk,	Principal Sudder Ameen of Shahabad,	0		0		0		1		2		3	
Syud Manowur Allee,	Principal Sudder Ameen of Shahabad,	0		0		0	1*	0		1	1*	1	2*

MEMO.—The other cases disposed of by the Sudder Dewanny Adawlut during the year, were decided in the Lower Courts by Officers who have either demised or resigned the Service.

No. III.

ABSTRACT STATEMENT of Regular Causes depending on the 1st January 1839 and the 1st January 1840, and of the number admitted and disposed of during the year 1839, in the several Zillah and City Courts in the Lower Provinces, respectively.

	Description of Court.	Depending on the 1st January, 1839.	Admitted in the last 12 Months.	Re-admitted in ditto.	Total.	Decreed on trial.	Dismissed on default.	Adjusted or withdrawn.	Total.	Transferred. To Principal Sudder Ameens.	Transferred. To Sudder Ameens.	Transferred. To other Jurisdictions.	Total.	Depending on the 1st January, 1840.	Increase.	Decrease.
Judges.	East Burdwan,	100	689	673	1462	131	9	4	144	530	141	563	1378	84	0	16
	West Burdwan,	93	664	2183	2940	141	5	0	146	681	328	1705	2860	80	0	13
	Hooghly,	169	613	78	860	114	20	10	144	241	186	79	650	210	41	0
	Jessore,	176	902	123	1201	97	6	9	112	617	163	32	924	277	101	0
	Midnapore,	136	520	84	740	69	26	3	98	276	194	31	599	141	5	0
	Nuddea,	48	408	83	539	54	5	1	60	164	130	81	435	104	56	0
	24-Pergunnahs, with Additional Judge,	190	892	147	1229	206	16	6	228	443	211	207	1089	140	0	50
	Cuttack,	45	384	62	491	158	10	2	170	167	70	38	445	46	1	0
	Backergunge,	198	356	65	619	125	11	7	143	358	42	13	556	63	0	135
	Dacca,	165	651	7	823	78	14	3	95	334	62	109	600	223	58	0
	Mymensing,	191	590	430	1211	92	14	1	107	616	0	396	1119	92	0	99
	Tipperah,	86	503	116	705	207	7	7	221	251	99	91	662	43	0	43
	Chittagong, with Additional Judge,	283 / 377 = 660	1553	1335	3548	246	18	3	267	1515	188	1216	3186	362	0	298
	Sylhet,	31	204	313	548	57	0	1	58	48	50	336	492	56	25	0
	Beerbhoom,	32	548	18	598	165	2	2	169	93	164	46	472	126	94	0
	Bhagulpore,	23	494	18	535	114	4	4	122	166	154	12	454	81	58	0
	Dinagepore,	52	526	38	616	155	23	2	180	251	58	17	506	110	58	0
	Moorshedabad,	32	489	9	530	142	6	3	151	151	163	34	499	31	0	1
	Purnea,	80	667	10	757	175	10	3	188	275	144	46	653	104	24	0
	Rajeshahye,	63	455	65	583	24	2	1	27	227	132	110	496	87	24	0
	Rungpore,	99	670	13	782	172	5	4	181	173	268	36	658	124	25	0
	Behar,	220	624	57	901	37	1	6	44	446	128	97	715	186	0	34
	Patna,	69	646	294	1009	209	11	3	223	518	0	181	922	87	18	0
	Sarun,	134	452	15	601	104	1	2	107	316	101	1	525	76	0	58
	Shahabad, with Additional Judge,	126 / 107 = 233	776	587	1596	256	11	6	273	508	178	567	1526	70	0	163
	Tirhoot,	242	1126	89	1457	95	12	0	107	709	418	7	1241	216	0	26
	Total.....	3567	16402	6912	26881	3423	249	93	3765	10074	3772	6051	23662	3219	588	936

2 N

Principal Sudder Ameens.

East Burdwan,	344	0	530	874	497	120	10	627	0	0	36	663	211	0	133
West Burdwan,	196	0	681	877	585	62	8	655	0	0	10	665	212	16	0
Hooghly,	306	0	241	547	253	47	22	322	0	0	8	330	217	0	89
Jessore,	379	0	617	996	470	98	14	582	0	0	31	613	383	4	0
Midnapore,	128	0	276	404	196	9	6	211	0	0	23	234	170	42	0
Nuddea,	139	0	164	303	181	46	10	237	0	0	2	239	64	0	75
24-Pergunnahs,	165	0	443	608	249	57	11	317	0	0	2	319	289	124	0
Cuttack,	258	0	167	425	177	60	4	241	0	0	3	244	181	0	77
Backergunge,	0	0	358	358	184	8	15	207	0	0	5	212	146	146	0
Dacca,	345	0	465	810	401	143	19	563	0	0	9	572	238	0	107
Mymensing,	262	0	616	878	470	124	9	603	0	0	8	611	267	5	0
Tipperah,	56	0	251	307	193	21	9	223	0	0	2	225	82	26	0
Chittagong,	593	0	1515	2108	820	114	9	943	0	0	135	1078	1030	437	0
Sylhet,	53	0	48	101	70	7	0	77	0	0	10	87	14	0	39
Beerbhoom,	80	0	149	229	168	16	3	187	0	0	0	187	42	0	38
Bhagulpore,	119	0	166	285	196	27	7	230	0	0	1	231	54	0	65
Dinagepore,	76	0	251	327	197	30	7	234	0	0	4	238	89	13	0
Moorshedabad,	159	0	210	369	163	34	12	209	0	0	1	210	159	0	0
Purnea,	213	0	333	546	369	11	17	397	0	0	2	399	147	0	66
Rajeshahye,	109	0	339	448	232	51	7	290	0	0	16	306	142	33	0
Rungpore,	77	0	229	306	147	26	8	181	0	0	0	181	125	48	0
Behar,	151	0	547	698	362	38	10	410	0	0	6	416	282	131	0
Patna,	245	0	518	763	339	11	24	374	0	0	121	495	268	23	0
Sarun,	118	0	316	434	222	30	6	258	0	0	1	259	175	57	0
Shahabad,	185	0	508	693	444	18	27	489	0	0	13	502	191	6	0
Tirhoot,	555	0	709	1264	511	92	17	620	0	0	23	643	621	66	0
Total,	5311	0	10647	15958	8096	1300	291	9687	0	0	472	10159	5799	1177	689

		Depending on the 1st January, 1839.	Admitted in the last 12 months.	Re-admitted in ditto.	Total.	Decreed on trial.	Dismissed on default	Adjusted or withdrawn.	Total.	Transferred.			Total.	Depending on the 1st January, 1840.	Increase.	Decrease.
										To Principal Sudder Ameens.	To Sudder Ameens.	To other jurisdictions.				
Sudder Ameens.	East Burdwan,	157	0	141	298	165	48	14	227	0	0	14	241	57	0	100
	West Burdwan,	115	0	328	443	49	20	10	79	0	0	239	318	125	10	0
	Hooghly,	161	0	186	347	98	43	22	163	0	0	2	165	182	21	0
	Jessore,	238	0	163	401	149	29	10	188	0	0	26	214	187	0	51
	Midnapore,	81	0	194	275	126	38	4	168	0	0	13	181	94	13	0
	Nuddea,	62	0	130	192	74	8	12	94	0	0	6	100	92	30	0
	24-Pergunnahs,	87	0	211	298	139	26	22	187	0	0	6	193	105	18	0
	Cuttack,	36	0	70	106	43	4	5	52	0	0	1	53	53	17	0
	Backergunge,	34	0	42	76	30	1	4	35	0	0	41	76	0	0	34
	Dacca,	99	0	62	161	81	13	10	104	0	0	1	105	56	0	43
	Mymensing,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Tipperah,	46	0	99	145	44	8	24	76	0	0	16	92	53	7	0
	Chittagong,	147	0	188	335	107	20	16	143	0	0	5	148	187	40	0
	Sylhet,	20	0	50	70	10	12	2	24	0	0	5	29	41	21	0
	Beerbhoom,	128	0	164	292	96	52	15	163	0	0	0	163	129	1	0
	Bhagulpore,	35	0	154	189	73	22	32	127	0	0	3	130	59	24	0
	Dinagepore,	13	0	58	71	39	6	8	53	0	0	6	59	12	0	1
	Moorshedabad,	154	0	163	317	197	19	10	226	0	0	1	227	90	0	64
	Purnea,	77	0	144	221	123	21	19	163	0	0	0	163	58	0	19
	Rajeshahye,	63	0	132	195	95	15	11	121	0	0	20	141	54	0	9
	Rungpore,	77	0	268	345	210	46	11	267	0	0	4	271	74	0	3
	Behar,	59	0	128	187	110	2	7	119	0	0	5	124	63	4	0
	Patna,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sarun,	63	0	101	164	98	1	13	112	0	0	5	117	47	0	16
	Shahabad,	109	0	178	287	137	8	13	158	0	0	9	167	120	11	0
	Tirhoot,	204	0	418	622	239	68	41	348	0	0	8	356	266	62	0
	Total, ...	2265	0	3772	6037	2592	530	335	3397	0	0	436	3833	2204	279	340

Moonsiffs.																
East Burdwan, ...	2860	5061	704	8625	4188	861	522	5571	0	0	621	6192	2433	0	427
West Burdwan, ...	3260	3581	2188	9029	3171	698	320	4189	0	0	1923	6112	2917	0	343
Hooghly, ...	1407	3556	79	5042	1928	633	1022	3583	0	0	32	3615	1427	20	0
Jessore, ...	2084	4234	236	6554	2722	1088	463	4273	0	0	60	4333	2221	137	0
Midnapore, ...	1174	3026	45	4245	1854	1004	206	3064	0	0	9	3073	1172	0	2
Nuddea, ...	1791	4507	83	6381	2996	570	1150	4716	0	0	29	4745	1636	0	155
24-Pergunnahs, ...	1915	5087	147	7149	2856	1229	1285	5370	0	0	76	5446	1703	0	212
Cuttack, ...	769	1872	591	3232	1541	226	359	2126	0	0	573	2699	533	0	236
Backergunge, ...	309	1237	58	1604	713	186	127	1026	0	0	10	1036	568	259	0
Dacca, ...	1187	2727	109	4023	1469	592	686	2747	0	0	68	2815	1208	21	0
Mymensing, ...	1551	3069	459	5079	1998	517	787	3302	0	0	419	3721	1358	0	193
Tipperah, ...	1679	2952	178	4809	2112	602	601	3315	0	0	95	3410	1399	0	280
Chittagong, ...	4960	6814	1276	13050	5428	1318	518	7264	0	0	1186	8450	4600	0	360
Sylhet, ...	931	1978	353	3262	758	455	356	1569	0	0	289	1858	1404	473	0
Beerbhoom, ...	2009	3601	108	5718	2639	468	640	3747	0	0	15	3762	1956	0	53
Bhagulpore, ...	698	2117	63	2878	1394	139	362	1895	0	0	9	1904	974	276	0
Dinagepore, ...	1313	5803	70	7186	3340	719	1561	5620	0	0	24	5644	1542	229	0
Moorshedabad, ...	849	2254	62	3165	1565	610	20	2195	0	0	9	2204	961	112	0
Purnea, ...	2281	5301	179	7761	2929	532	1968	5429	0	0	158	5587	2174	0	107
Rajeshahye, ...	973	2820	44	3837	1545	533	1020	3098	0	0	26	3124	713	0	260
Rungpore, ...	916	3481	17	4414	2170	415	906	3491	0	0	7	3498	916	0	0
Behar, ...	977	1752	387	3116	1725	71	279	2075	0	0	376	2451	665	0	312
Patna, ...	461	1002	204	1667	789	63	178	1030	0	0	167	1197	470	9	0
Sarun, ...	496	1063	3	1562	865	107	148	1120	0	0	3	1123	439	0	57
Shahabad, ...	1043	2255	533	3831	1741	93	372	2206	0	0	497	2703	1128	85	0
Tirhoot, ...	1249	2426	25	3700	1740	314	332	2386	0	0	43	2429	1271	22	0
Total, ...	39142	83576	8201	130919	56176	14043	16188	86407	0	0	6724	93131	37786	1643	2997

No. IV.

ABSTRACT STATEMENT shewing in one view the number of Cases that were pending in the several Lower Courts on the 1st January 1839, the number admitted during that year, the number disposed of, and the number depending at the end of the same year, with the discrepancies which the returns exhibit.

Zillahs	Depending on the 1st January 1839	Admitted in the last 12 Months	Total.	Total disposed of in 1839.	Depending on the 1st January 1840	Number which the returns exhibit as depending on the 1st January 1840	Discrepancies.	
							More	Less.
East Burdwan, ...	3,461	5,893	9,354	6,569	2,785	2,785	0	0
West Burdwan, ...	3,664	4,739	8,403	5,069	3,334	3,334	0	0
Hooghly, ...	2,043	4,205	6,248	4,212	2,036	2,036	0	0
Jessore, ...	2,877	5,346	8,223	5,155	3,068	3,068	0	0
Midnapore, ...	1,519	3,599	5,118	3,541	1,577	1,577	0	0
Nuddea, ...	2,040	4,969	7,009	5,107	1,902	1,896	0	6
24-Pergunnahs, ...	2,357	5,982	8,339	6,102	2,237	2,237	0	0
Cuttack, ...	1,108	2,294	3,402	2,589	813	813	0	0
Backergunge, ...	541	1,647	2,188	1,411	777	777	0	0
Dacca, ...	1,796	3,438	5,234	3,509	17,25	1,725	0	0
Mymensing, ...	2,004	3,725	5,729	4,012	1,717	1,717	0	0
Tipperah, ...	1,867	3,545	5,412	3,835	1,577	1,577	0	0
Chittagong, ...	6,360	8,436	14,796	8,617	6,179	6,179	0	0
Sylhet, ...	1,035	2,208	3,243	1,728	1,515	1,515	0	0
Beerbhoom, ...	2,249	4,270	6,519	4,266	2,253	2,253	0	0
Bhagulpore, ...	875	2,667	3,542	2,374	1,168	1,168	0	0
Dinagepore, ...	1,454	6,386	7,840	6,087	1,753	1,753	0	0
Moorshedabad, ...	1,194	2,828	4,022	2,781	1,241	1,241	0	0
Purnea, ...	2,651	6,009	8,660	6,177	2,483	2,483	0	0
Rajeshahye, ...	1,208	3,324	4,532	3,536	996	996	0	0
Rungpore, ...	1,169	4,190	5,359	4,120	1,239	1,239	0	0
Behar, ...	1,407	2,437	3,844	2,648	1,196	1,196	0	0
Patna, ...	775	1,677	2,452	1,627	825	825	0	0
Sarun, ...	811	1,523	2,334	1,597	737	737	0	0
Shahabad, ...	1,570	3,065	4,635	3,126	1,509	1,509	0	0
Tirhoot, ...	2,250	3,585	5,835	3,461	2,374	2,374	0	0
Total, ...	50,285	1,01,987	1,52,272	1,03,256	49,016	49,010	0	6

Comparative Statement of 1838 *and* 1839.

1838, ...	51,900	1,05,792	1,57,692	1,07,314	50,378	50,284	0	0
1839, ...	50,285	1,01,987	1,52,272	1,03,256	49,016	49,010	0	0
Increase,	0	0	0	0	0	0	0	0
Decrease,	1,615	3,805	5,420	4,058	1,362	1,274	0	0

No. V.

STATEMENT of Civil Suits tried and decided under Regulation VI. 1832, in the Lower Provinces, during the year 1839.

Districts.	Suits tried with the assistance of a Punchayet.			Suits tried with the assistance of Assessors.			Suits tried with the assistance of a Jury.			Remarks.
	Number decided in accordance with the award of the Punchayet.	Number decided contrary to the award of the Punchayet.	Total.	Number decided in accordance with the opinion of the Assessors.	Number decided contrary to the opinion of the Assessors.	Total.	Number decided in accordance with the verdict of the Jury.	Number decided contrary to the verdict of the Jury.	Total.	
East Burdwan, ...	0	0	0	0	0	0	0	0	0	
West Burdwan, ...	0	0	0	0	0	0	0	0	0	
Hooghly, ...	0	0	0	0	0	0	0	0	0	
Jessore, ...	0	0	0	0	0	0	0	0	0	
Midnapore,.....	0	0	0	0	0	0	0	0	0	
Nuddea, ...	0	0	0	0	0	0	0	0	0	
24-Pergunnahs, ...	0	0	0	0	0	0	0	0	0	
Cuttack,.....	0	0	0	0	0	0	0	0	0	
Backergunge,.....	0	0	0	0	0	0	0	0	0	
Dacca, ...	0	0	0	0	0	0	0	0	0	
Mymensing, ...	1	0	1	0	0	0	0	0	0	
Tipperah, ...	0	3	3	0	0	0	0	0	0	
Chittagong, ...	20	0	20	0	0	0	0	0	0	
Sylhet, ...	0	0	0	5	1	6	0	0	0	
Beerbhoom, ...	0	0	0	0	0	0	0	0	0	
Bhagulpore, ...	2	0	2	0	0	0	0	0	0	
Dinagepore, ...	1	0	1	0	0	0	0	0	0	
Moorshedabad, ...	0	0	0	0	0	0	0	0	0	
Purnea, ...	0	0	0	0	0	0	0	0	0	
Rajeshahye, ...	0	0	0	0	0	0	0	0	0	
Rungpore, ...	0	0	0	46	2	48	0	0	0	
Behar,.....	0	0	0	0	0	0	0	0	0	
Patna,.....	0	0	0	0	0	0	0	0	0	
Sarun,.....	0	0	0	0	0	0	0	0	0	
Shahabad, ...	0	0	0	0	0	0	0	0	0	
Tirhoot, ...	0	0	0	0	0	0	0	0	0	
Total.....	24	3	27	51	3	64	0	0	0	

No. VI.

AN ABSTRACT STATEMENT shewing the Years in which the Regular Suits and Appeals, depending before the Sudder Dewanny Adawlut, the District Judges, Principal Sudder Ameens, Sudder Ameens, and Moonsiffs, were originally instituted.

	1816.	1821.	1823.	1824.	1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.	1835.	1836.	1837.	1838.	1839.	Total.	Remarks.
Sudder Dewanny Adawlut,	0	0	0	0	0	0	0	0	0	0	1	1	2	5	13	53	180	216	265	736	
East Burdwan, ...	1	0	0	0	0	0	0	0	0	1	0	1	0	2	2	7	13	68	2690	2785	
West Burdwan, ...	0	0	0	0	0	1	0	0	0	1	2	3	5	8	19	52	99	601	2543	3334	
Hooghly, ...	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1	2	9	118	1904	2036	
Jessore, ...	0	2	0	0	0	1	0	1	0	0	0	0	0	2	6	15	46	470	2525	3068	
Midnapore, ...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	9	60	1507	1577	
Nuddea, ...	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	6	135	1753	1896	
24-Pergunnahs, ...	0	0	0	0	0	0	0	3	0	1	0	0	1	4	8	14	32	82	2092	2237	
Cuttack, ...	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2	27	109	674	813	
Backergunge, ...	0	0	0	0	0	0	0	0	0	0	0	0	2	0	1	2	8	57	707	777	
Dacca, ...	0	0	0	0	0	0	0	0	0	0	0	0	0	3	12	10	38	185	1477	1725	
Mymensing, ...	0	0	1	0	0	0	0	0	1	0	0	0	0	2	2	3	9	84	1615	1717	
Tipperah, ...	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	3	18	104	1459	1577	
Chittagong, ...	0	0	0	0	0	1	1	2	1	0	0	0	3	2	13	58	176	907	5015	6179	
Sylhet, ...	0	0	0	0	0	0	0	0	1	0	0	4	0	0	0	1	52	235	1222	1515	
Beerbhoom, ...	0	0	0	0	0	0	0	0	0	0	2	0	0	1	5	5	18	142	2080	2253	
Bhagulpore, ...	0	0	0	1	0	0	1	0	0	0	0	0	0	1	0	3	1	17	1144	1168	
Dinagepore	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	13	1737	1753	
Moorshedabad, ...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	2	13	68	1157	1241	
Purnea, ...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	14	183	2286	2483	
Rajeshahye, ...	0	0	0	0	0	0	0	0	0	0	1	0	1	0	1	4	10	45	934	996	
Rungpore, ...	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2	2	25	1209	1239	
Behar, ...	0	0	0	0	0	0	0	*3	0	1	0	0	4	1	6	2	13	155	1011	1196	
Patna, ...	0	0	0	0	0	0	0	0	0	0	0	0	1	1	5	8	17	64	729	825	
Sarun, ...	0	0	0	0	0	0	0	2	0	0	0	0	0	0	2	0	3	44	686	737	
Shahabad, ...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	6	74	1427	1509	
Tirhoot, ...	0	0	0	0	1	0	0	1	1	0	0	0	1	0	1	3	39	313	2014	2374	
Total, ...	1	2	1	1	1	3	2	12	4	4	7	10	22	35	100	253	861	4574	43853	49746	

* Stated as pending before 1828.

No. VII.

STATEMENT intended to shew the Period which would elapse before the Decision of the Regular Suits depending in the Civil Courts on the 1st January 1840, if calculated according to the average number of decisions passed during the last five years.

Courts.	Disposed of during the year 1835.	Ditto 1836.	Ditto 1837.	Ditto 1838.	Ditto 1839.	Total disposed of during the years 1835 to 1839.	Number disposed of in each year on the average of the 5 years.	Depending on the 1st January, 1840.	Average period which would elapse before the decision of suits in each court, according to the foregoing statement of the number disposed of in the past five years.
Sudder Dewanny Adawlut, ...	794	521	476	203	177	2171	434	736	1 year, 8 months, 12 days.
Judges, ...	6077	6372	5140	4089	3765	25443	5088	3219	7 months, 18 days.
Principal Sudder Ameens, ...	9413	8859	8393	9157	9687	45509	9102	5799	7 months, 20 days.
Sudder Ameens, ...	3485	4465	4023	3427	3397	18797	3760	2204	7 months.
Moonsiffs, ...	94796	92163	91158	90641	86407	455165	91033	37788	4 months, 29 days.
Total.....	114565	112380	109190	107517	103433	547085	109417	49746	

No. VIII.

GENERAL Abstract Statement of the different Descriptions of Original Suits, instituted before the

Districts.	Courts.	1. Suits connected with land rent.	2. Suits for real property on conveyances by sale.	3. Suits for real property on conveyance by gift.	4. Suits by mortgage.	5. Suits by will.	6. Suits by dowry.	7. Suits by right of pre-emption.	8. Inheritance under the Mahomedan law.	9. Ditto Hindoo law.	10. Claims in right of adoption.
East Burdwan, ...	Judge, ...	70	0	0	1	0	0	0	3	2	0
	Moonsiffs,	1764	114	3	6	0	0	7	2	5	4
West Burdwan, ...	Judge, ...	22	1	4	0	0	4	3	0	0	0
	Moonsiffs,	1210	5	0	0	0	0	4	0	28	0
Hooghly, ...	Judge, ...	64	0	0	4	0	0	3	1	9	1
	Moonsiffs,	598	7	0	12	0	0	0	3	0	0
Jessore, ...	Judge, ...	69	0	0	5	0	0	0	0	6	0
	Moonsiffs,	1036	77	8	21	1	8	18	5	1	0
Midnapore, ...	Judge, ...	79	63	1	25	0	1	0	0	0	0
	Moonsiffs,	222	15	0	19	0	0	0	0	2	0
Nuddea, ...	Judge, ...	165	1	0	4	0	0	0	0	0	0
	Moonsiffs,	338	1	0	3	0	0	0	0	2	0
24-Pergunnahs, ...	Judge, ...	27	20	0	16	0	0	0	0	0	0
	Moonsiffs,	433	87	0	64	1	0	0	7	1	0
Cuttack, ...	Judge, ...	4	39	13	1	0	0	0	0	3	0
	Moonsiffs,	268	41	3	27	2	0	2	1	38	3
Backergunge, ...	Judge, ...	57	6	0	2	0	0	0	1	3	0
	Moonsiffs,	399	15	1	3	0	6	1	3	1	0
Dacca, ...	Judge, ...	28	8	1	0	2	0	1	2	5	0
	Moonsiffs,	274	42	4	35	0	0	7	8	38	0
Mymensing, ...	Judge, ...	39	0	0	3	0	1	0	0	0	0
	Moonsiffs,	340	11	3	5	0	1	0	3	3	0
Tipperah, ...	Judge, ...	58	11	0	1	0	3	1	2	0	0
	Moonsiffs,	640	23	0	7	0	0	0	1	1	24
Chittagong, ...	Judge, ...	21	0	0	0	0	0	0	0	0	0
	Moonsiffs,	938	138	3	46	0	10	10	53	5	0

No. VIII.

Judges and Moonsiffs of the several Districts in the Lower Provinces, during the year 1839.

11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.	23.
Lakhiraj suits under Section 30, Regulation II. 1819.	Suits regarding Putnee and other dependant tenures.	Suits to contest sales by Collectors for arrears of Government dues.	Suits for land not before included, such as boundary suits, &c.	Debts on bond or otherwise.	Suits of bankers and traders.	Religious suits connected with caste, rights of priests, &c.	Damages for breach of contract.	For recovery of money embezzled.	Wages.	Suits connected with indigo, sugar, silk, and other staple products.	Suits for personal property not before included.	TOTAL.
0	2	0	0	22	0	8	2	3	0	2	27	142
0	2	8	3	2453	208	0	1	23	9	46	403	5061
5	1	0	1	25	0	9	5	0	0	14	1	95
0	1	0	13	1951	25	6	34	33	22	34	215	3581
4	12	1	72	53	1	7	0	7	0	7	30	276
0	1	34	60	2135	411	3	1	20	6	57	208	3556
7	43	8	0	41	5	10	0	0	1	8	12	215
0	238	4	7	2510	116	2	35	2	22	41	82	4234
4	7	1	0	77	1	0	0	8	3	5	6	281
0	9	0	2	2446	167	0	3	40	2	46	53	3026
12	0	0	4	52	0	1	0	1	1	34	0	275
0	0	0	2	3991	156	0	1	1	6	79	10	4590
31	1	0	42	53	8	3	0	1	0	13	41	256
2	0	1	96	3793	362	0	73	3	48	11	185	5117
0	0	0	0	89	0	0	1	3	1	0	0	154
0	26	0	16	1061	29	0	43	29	11	215	57	1872
0	15	0	8	68	0	3	1	9	0	3	5	181
0	61	0	7	587	3	6	1	12	6	37	90	1239
16	1	1	20	56	10	6	0	2	1	0	19	179
0	8	0	42	1691	204	15	7	10	22	186	134	2727
0	2	1	0	47	2	24	2	3	1	9	9	143
0	49	0	11	1815	173	0	14	54	71	195	352	3100
4	2	0	1	38	0	20	1	6	0	4	2	154
0	11	0	1	1370	119	23	18	32	51	463	168	2752
0	1	1	26	59	0	100	0	0	1	0	14	223
0	69	9	574	3107	8	42	17	11	59	4	1711	6814

No. VIII.—*(Continued.)*

Districts.	Courts.	1. Suits connected with land rent.	2. Suits for real property on conveyances by sale.	3. Suits for real property on conveyance by gift.	4. Suits by morigage.	5. Suits by will.	6. Suits by dowry.	7. Suits by right of pre-emption.	8. Inheritance under the Mahomedan law.	9. Ditto Hindoo law.	10. Claims in right of adoption.
Sylhet, ...	Judge, ...	1	0	0	0	0	0	0	2	0	0
	Moonsiffs,	135	16	2	5	0	0	3	5	2	0
Beerbhoom, ...	Judge, ...	28	50	0	3	0	0	0	0	0	0
	Moonsiffs,	586	16	1	0	0	1	0	0	13	0
Bhagulpore, ...	Judge, ...	12	0	0	0	0	0	1	0	0	0
	Moonsiffs,	269	2	1	0	0	0	2	1	1	0
Dinagepore, ...	Judge, ...	18	8	0	0	0	0	0	0	0	0
	Moonsiffs,	373	4	0	2	0	0	1	3	1	0
Moorshedabad, ...	Judge, ...	24	11	0	3	0	0	0	0	0	0
	Moonsiffs,	208	3	0	3	0	0	0	0	0	1
Purnea, ...	Judge, ...	60	0	0	0	0	0	2	0	0	0
	Moonsiffs,	1174	310	0	0	0	0	0	0	0	0
Rajeshahye, ...	Judge, ...	52	0	0	9	0	0	0	1	0	0
	Moonsiffs,	132	14	0	9	0	1	0	0	1	0
Rungpore, ...	Judge, ...	62	7	5	2	3	0	0	4	5	4
	Moonsiffs,	729	2	0	2	0	0	0	11	7	0
Behar, ...	Judge, ...	26	43	1	0	0	1	1	0	0	0
	Moonsiffs,	385	32	3	15	0	0	4	11	3	0
Patna, ...	Judge, ...	48	12	0	28	1	7	4	6	12	0
	Moonsiffs,	289	67	1	48	1	0	11	4	9	0
Sarun, ...	Judge, ...	25	3	0	25	0	0	2	0	0	0
	Moonsiffs,	474	8	1	12	0	0	0	0	0	0
Shahabad, ...	Judge, ...	34	7	0	0	0	1	6	0	0	0
	Moonsiffs,	767	8	0	5	0	0	2	1	1	0
Tirhoot, ...	Judge, ...	112	13	4	85	0	2	7	10	8	0
	Moonsiffs,	1078	83	1	44	0	0	17	6	21	3
	Total...	16264	1394	64	610	11	47	120	160	237	40

No. VIII.—*(Continued.)*

11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.	23.
Lakhiraj suits under Section 30, Regulation II. 1819.	Suits regarding Putnee and other dependant tenures.	Suits to contest sales by Collectors for arrears of Government dues.	Suits for land not before included, such as boundary suits, &c.	Debts on bond or otherwise.	Suits of bankers and traders.	Religious suits connected with caste, rights of priests, &c.	Damages for breach of contract.	For recovery of money embezzled.	Wages.	Suits connected with indigo, sugar, silk and other staple products.	Suits for personal property not before included.	TOTAL.
0	0	9	19	35	0	1	0	0	0	1	44	112
0	2	1	46	1372	46	16	13	19	16	126	153	1978
6	0	0	1	75	0	12	0	0	0	1	22	198
0	13	0	38	2443	17	5	9	11	12	72	364	3601
7	0	0	36	102	0	0	0	0	0	55	6	219
0	77	0	34	1365	228	1	0	22	6	88	20	2117
0	1	5	0	33	55	1	1	2	0	13	3	140
0	32	12	14	3824	508	45	14	16	189	13	760	5811
25	0	5	21	48	28	8	0	3	1	16	5	198
0	0	1	62	1183	148	3	4	13	27	594	4	2254
0	0	0	1	42	12	4	1	39	3	27	0	191
1	0	0	0	3227	295	0	5	147	23	112	7	5301
0	1	0	9	57	13	5	3	4	0	8	20	182
0	9	0	16	2095	160	31	56	21	14	176	85	2820
1	26	1	3	68	16	23	0	26	1	6	33	296
0	122	0	9	1374	324	14	135	35	54	409	254	3481
0	0	0	0	90	12	0	0	4	2	0	9	189
0	0	0	17	974	42	38	0	7	13	19	189	1752
1	11	13	1	100	19	6	10	10	9	0	20	318
0	12	32	14	368	68	3	39	11	25	0	0	1002
5	0	3	5	87	4	2	0	1	2	1	8	173
0	10	0	19	323	100	1	12	13	1	20	69	1063
0	7	3	38	99	0	0	3	4	4	17	38	261
0	24	1	64	1105	55	6	2	30	3	4	136	2214
2	0	9	113	133	3	0	0	7	1	0	31	540
1	0	3	35	760	9	5	4	32	20	61	169	2352
134	909	167	1623	50972	4170	518	571	790	770	3352	6283	89006

No. IX.

STATEMENT showing the Total Value or Amount in Company's Rupees (without Fractions) of Regular Suits, whether Original or in Appeal, depending in the several Courts in the Lower Provinces, on the 1st January 1840.

Courts.	Original Suits.					Appeals.			Grand Total.
	Judges.	Principal Sudder Ameens.	Sudder Ameens.	Moonsiffs.	Total.	Judges.	Principal Sudder Ameens.	Total.	
East Burdwan, ...	1066	2861942	14549	87474	2965031	20680	10100	30780	2995811
West Burdwan, ...	703	182964	19743	96472	299882	15164	14602	29766	329648
Hooghly, ...	68787	340746	45516	76650	531699	77475	7774	85249	616948
Jessore, ...	1451	299090	39771	86577	426889	67516	25883	93399	520288
Midnapore,.....	248735	344138	23780	52833	669486	47977	5566	53543	723029
Nuddea, ...	21484	159613	22923	70999	275019	28630	2948	31578	306597
24-Pergunnahs, ...	436448	741663	34583	78660	1291354	88008	12150	100158	1391512
Cuttack,'.....	37088	322382	24478	31783	415731	12013	4947	16960	432691
Backergunge,.....	1976	308692	0	52068	362736	37353	1864	39217	401953
Dacca,.....	36850	336862	21936	64226	459874	138904	9633	148537	608411
Mymensing, ...	44	327850	0	57022	384916	58997	9017	68014	452930
Tipperah, ...	974	112537	21187	55343	190041	15107	4683	19790	209831
Chittagong, ...	0	399240	45504	240104	684848	31156	151417	182573	867421
Sylhet, ...	127763	12307	13868	57566	211504	6586	173	6759	218263
Beerbhoom, ...	0	194486	35246	83699	313431	19803	32	19835	333266
Bhagulpore, ...	0	96352	27513	51632	175497	47082	1949	49031	224528
Dinagepore, ...	22838	51220	4609	50303	128970	25604	2932	28536	157506
Moorshedabad, ...	0	325069	36638	51898	413605	23379	19848	43227	456832
Purnea, ...	244976	726269	20096	73956	1065297	24057	12084	36141	1101438
Rajeshahye, ...	24892	144880	19928	41911	231611	39223	12314	51537	283148
Rungpore, ...	0	376506	21612	41333	439451	41168	7081	48249	487700
Behar,.....	0	507629	28323	47746	583698	110570	29162	139732	723430
Patna,.....	44572	1223055	0	27856	1295483	35945	1564	37509	1332992
Sarun,.....	0	342881	25830	37941	406652	140820	25752	166572	573224
Shahabad, ...	0	264377	49437	78502	392316	53254	18306	71560	463876
Tirhoot, ...	830649	1084669	98412	74432	2088162	127382	57141	184523	2272685
Total	2151296	12087419	695482	1768986	16703183	1333853	448922	1782775	18485958
SUDDER DEWANNY ADAWLUT, ...									11210737
Grand Total, ...									29696695

No. IX.—Part 2.

STATEMENT of the Amount or Value of the Original Suits pending in the Courts of the Principal Sudder Ameens, Sudder Ameens, and Moonsiffs, at the end of 1839, shewing the average value of each suit.

Districts.	Before Principal Sudder Ameens.			Before Sudder Ameens.			Before Moonsiffs.		
	Total number of original suits pending.	Total amount or value in rupees.	Average value of each suit.	Total number of original suits pending.	Total amount or value in rupees.	Average value of each suit.	Total number of original suits pending.	Total amount or value in rupees.	Average value of each suit.
East Burdwan, ...	61	*2861942	46917	57	14549	255	2433	87474	36
West Burdwan, ...	48	182964	3812	125	19743	157	2917	96472	33
Hooghly, ...	87	340746	3824	182	43516	242	1427	76650	54
Jessore, ...	113	299090	2647	187	39771	213	2221	86577	39
Midnapore, ...	82	344138	4197	94	23780	253	1172	52833	45
Nuddea, ...	49	159613	3257	92	22923	249	1636	70999	43
24-Pergunnahs, ...	159	741663	4665	105	34583	329	1703	78660	46
Cuttack, ...	130	322382	2480	53	24478	462	533	31783	60
Backergunge, ...	125	308692	2469	0	0	0	568	52068	91
Dacca, ...	104	336862	3239	56	21936	392	1208	64226	53
Mymensing, ...	120	327850	2732	0	0	0	1358	57022	40
Tipperah, ...	44	112537	2558	53	21187	399	1399	55343	40
Chittagong, ...	71	399240	5623	187	45504	243	4600	240104	53
Sylhet, ...	8	12307	1538	41	13868	338	1404	57566	41
Beerbhoom, ...	41	194486	4743	129	35246	273	1956	83699	42
Bhagulpore, ...	31	96352	3108	59	27513	466	974	51632	53
Dinagepore, ...	37	51220	1384	12	4609	384	1542	50303	32
Moorshedabad, ...	56	325069	5823	90	36638	407	961	51898	54
Purnea, ...	34	†726269	21361	58	20096	346	2174	73956	34
Rajeshahye, ...	66	144880	2195	54	19928	369	713	41911	58
Rungpore, ...	52	376506	7242	74	21612	292	916	41333	45
Behar, ...	91	507629	5578	63	28323	450	665	47746	71
Patna, ...	235	1223055	5205	0	0	0	470	27856	60
Sarun, ...	51	342881	6723	47	25830	549	439	37941	86
Shahabad, ...	53	264377	4988	120	49437	412	1128	78502	70
Tirhoot, ...	171	1084669	6343	266	98412	370	1271	74432	57
Total ...	2119	12087419	5704	2204	695482	315	37888	1768986	46

* The amount of property claimed in one suit is 13,53,144 Rupees.

† The aggregate value of four suits amounted to 5,66,693 Rupees.

No. X.

ABSTRACT STATEMENT exhibiting the number of Appealable Cases decided by the several Classes the year, and the number of Previous Appeals pending on the 1st January

Class of Judges.	Districts.	Description of cases appealed from.	Number of decisions of 1839 appealable.	Number of appeals preferred within the year.	Number of previous appeals pending on the 1st January 1839.
Moonsiffs.	East Burdwan,	Original Suits, ...	4188	467	299
	West Burdwan,	Ditto,	3171	623	167
	Hooghly,	Ditto,	1928	274	272
	Jessore,	Ditto,	2722	524	301
	Midnapore,	Ditto,	1854	185	111
	Nuddea,	Ditto,	2996	156	81
	24-Pergunnahs,	Ditto,	2856	352	82
	Cuttack,	Ditto,	1541	194	102
	Backergunge,	Ditto,	713	136	82
	Dacca,	Ditto,	1469	352	240
	Mymensing,	Ditto,	1998	361	194
	Tipperah,	Ditto,	2112	278	55
	Chittagong,	Ditto,	5428	1261	939
	Sylhet,	Ditto,	758	70	52
	Beerbhoom,	Ditto,	2639	317	48
	Bhagulpore,	Ditto,	1394	204	42
	Dinagepore,	Ditto,	3340	341	83
	Moorshedabad,	Ditto,	1565	206	72
	Purnea,	Ditto,	2929	391	199
	Rajeshahye,	Ditto,	1545	224	93
	Rungpore,	Ditto,	2170	277	75
	Behar,	Ditto,	1725	359	92
	Patna,	Ditto,	789	235	48
	Sarun,	Ditto,	865	180	80
	Shahabad,	Ditto,	1741	394	179
	Tirhoot,	Ditto,	1740	537	435
	Total,		56097	8898	4423

No. X.

of Native Judges in the year 1839, *the number of Appeals actually preferred from their decisions within of that year, with the manner in which the Appeals were disposed of.*

Total number of appeals to be decided.	Number confirmed.			Number modified or reversed.			Number dismissed on default, adjusted, or withdrawn.			Number pending on the 1st January 1840.		
	By the Judge.	By the Principal Sudder Ameens.	Total.	By the Judge.	By the Principal Sudder Ameens.	Total.	By the Judge.	By the Principal Sudder Ameens	Total.	Before the Judge.	Before the Principal Sudder Ameens.	Total.
766	41	217	258	41	202	243	4	108	112	39	117	156
790	5	134	139	16	414	430	0	43	43	30	147	177
546	42	113	155	30	51	81	14	41	55	127	128	255
825	13	148	161	8	207	215	5	89	94	144	211	355
296	7	96	103	2	52	54	1	5	6	45	88	133
237	6	67	73	4	60	64	5	33	38	55	7	62
434	39	80	119	71	73	144	7	32	39	21	111	132
296	84	51	135	26	31	57	9	24	33	25	46	71
218	49	52	101	33	25	58	5	3	8	30	21	51
592	2	123	125	4	131	135	3	132	135	69	128	197
555	0	148	148	1	173	174	6	76	82	4	147	151
333	73	61	134	64	85	149	3	8	11	8	31	39
2200	97	326	423	44	428	472	14	101	115	251	939	1190
122	19	25	44	9	32	41	0	6	6	25	6	31
365	76	74	150	62	38	100	1	7	8	106	1	107
246	33	66	99	43	39	82	2	1	3	39	23	62
424	40	69	109	60	67	127	20	31	51	85	52	137
278	61	32	93	31	49	80	6	24	30	8	67	75
590	70	223	293	39	79	118	9	11	20	63	96	159
317	4	81	85	1	83	84	0	39	39	49	60	109
352	96	51	147	30	41	71	2	17	19	67	48	115
451	1	142	143	5	97	102	0	31	31	13	162	175
283	95	50	145	25	24	49	9	3	12	46	31	77
260	1	80	81	0	35	35	0	23	23	0	121	121
573	35	170	205	42	172	214	2	32	34	3	117	120
972	13	201	214	3	188	191	5	95	100	119	348	467
13321	1002	2880	3882	694	2876	3570	132	1015	1147	1471	3253	4724

No. X.—*(Continued.)*

Class of Judges.	Districts.	Description of cases appealed from.	Number of decisions of 1839 appealable.	Number of appeals preferred within the year.	Number of previous appeals pending on the 1st January 1839.
Sudder Ameens.	East Burdwan,	Original Suits,	165	61	47
	West Burdwan,	Ditto,	49	29	25
	Hooghly,	Ditto,	98	29	46
	Jessore,	Ditto,	149	81	67
	Midnapore,	Ditto,	126	44	20
	Nuddea,	Ditto,	74	16	23
	24-Pergunnahs,	Ditto,	139	53	34
	Cuttack,	Ditto,	43	1	2
	Backergunge,	Ditto,	30	13	23
	Dacca,	Ditto,	81	34	27
	Mymensing,	Ditto,	0	2	3
	Tipperah,	Ditto,	44	21	5
	Chittagong,	Ditto,	107	51	48
	Sylhet,	Ditto,	10	6	6
	Beerbhoom,	Ditto,	96	18	5
	Bhagulpore,	Ditto,	73	33	19
	Dinagepore,	Ditto,	39	8	3
	Moorshedabad,	Ditto,	197	56	12
	Purnea,	Ditto,	123	64	47
	Rajeshahye,	Ditto,	95	20	15
	Rungpore,	Ditto,	210	83	31
	Behar,	Ditto,	110	48	41
	Patna,	Ditto,	0	3	7
	Sarun,	Ditto,	98	29	25
	Shahabad,	Ditto,	137	26	24
	Tirhoot,	Ditto,	239	78	102
	Total,		2632	907	707

No. X.—*(Continued.)*

Total number of appeals to be decided.	Number confirmed.			Number modified or reversed.			Number dismissed on default, adjusted, or withdrawn.			Number pending on the 1st January 1840.		
	By the Judge.	By the Principal Sudder Ameen.	Total.	By the Judge.	By the Principal Sudder Ameen.	Total.	By the Judge.	By the Principal Sudder Ameen.	Total.	Before the Judge.	Before the Principal Sudder Ameen.	Total.
108	4	17	21	6	22	28	1	2	3	23	33	56
54	4	5	9	1	12	13	0	10	10	5	17	22
75	3	27	30	5	8	13	3	4	7	23	2	25
148	7	20	27	7	22	29	1	7	8	25	59	84
64	1	4	5	3	6	9	0	1	1	49	0	49
39	1	7	8	0	11	11	0	0	0	12	8	20
87	8	2	10	4	15	19	1	4	5	34	19	53
3	0	0	0	0	0	0	0	0	0	3	0	3
36	13	0	13	10	0	10	4	0	4	9	0	9
61	3	11	14	0	10	10	3	3	6	25	6	31
5	1	0	1	2	0	2	0	0	0	2	0	2
26	6	2	8	4	1	5	1	0	1	5	7	12
99	7	14	21	5	13	18	2	10	12	28	20	48
12	5	0	5	3	1	4	0	0	0	3	0	3
23	10	0	10	3	0	3	0	0	0	10	0	10
52	5	21	26	3	13	16	0	0	0	10	0	10
11	3	1	4	2	1	3	0	1	1	2	0	2
68	11	12	23	5	2	7	0	2	2	0	36	36
111	10	34	44	24	6	30	3	1	4	16	17	33
35	0	9	9	0	5	5	0	4	4	1	16	17
114	18	10	28	11	5	16	3	3	6	39	25	64
89	4	28	32	0	16	16	0	8	8	4	29	33
10	1	2	3	2	3	5	0	0	0	0	2	2
54	1	21	22	1	7	8	0	2	2	19	3	22
50	4	9	13	0	10	10	2	1	3	3	21	24
180	8	23	31	7	21	28	3	4	7	12	102	114
1614	138	279	417	108	210	318	27	67	94	362	422	784

No. X.—*(Continued.)*

Class of Judges.	Districts.	Description of cases appealed from.	Number of decisions of 1839 appealable.	Number of appeals preferred within the year.	Number of previous appeals pending on the 1st January 1839.
Principal Sudder Ameens.	East Burdwan,	Original Suits,	33	8	9
		Appeals,	464	13	17
	West Burdwan,	Original Suits,	20	12	6
		Appeals,	565	95	36
	Hooghly,	Original Suits,	54	15	37
		Appeals,	199	15	11
	Jessore,	Original Suits,	73	37	12
		Appeals,	397	68	39
	Midnapore,	Original Suits,	38	8	21
		Appeals,	158	37	19
	Nuddea,	Original Suits,	37	21	13
		Appeals,	144	23	8
	24-Pergunnahs,	Original Suits,	79	45	43
		Appeals,	170	40	22
	Cuttack,	Original Suits,	94	21	22
		Appeals,	83	12	5
	Backergunge,	Original Suits,	107	23	1
		Appeals,	77	4	0
	Dacca,	Original Suits,	126	56	64
		Appeals,	275	37	44
	Mymensing,	Original Suits,	149	56	60
		Appeals,	321	31	32
	Tipperah,	Original Suits,	44	23	12
		Appeals,	149	29	23
	Chittagong,	Original Suits,	39	13	13
		Appeals,	781	17	135
	Sylhet,	Original Suits,	12	6	3
		Appeals,	58	14	7
	Beerbhoom,	Original Suits,	56	11	4
		Appeals,	112	9	1
	Bhagulpore,	Original Suits,	57	30	16
		Appeals,	139	18	1
	Dinagepore	Original Suits,	59	15	3
		Appeals,	138	27	16
	Moorshedabad,	Original Suits,	68	23	8
		Appeals,	95	13	13
	Purnea,	Original Suits,	27	12	14
		Appeals,	342	18	9
	Rajeshahye,	Original Suits,	54	16	15
		Appeals,	178	16	3
	Carried over,		6071	987	817

No. X.—*(Continued.)*

Total number of appeals to be decided.	Number confirmed.			Number modified or reversed.			Number dismissed on default, adjusted, or withdrawn.			Number pending on the 1st January 1840.		
	By the Judge.	By the Principal Sudder Ameen.	Total.	By the Judge.	By the Principal Sudder Ameen.	Total.	By the Judge.	By the Principal Sudder Ameen.	Total.	Before the Judge.	Before the Principal Sudder Ameen.	Total.
17	2	0	2	5	0	5	0	0	0	10	0	10
30	4	0	4	16	0	16	4	0	4	6	0	6
18	0	0	0	2	0	2	0	0	0	16	0	16
131	27	0	27	81	0	81	4	0	4	19	0	19
52	8	0	8	14	0	14	6	0	6	24	0	24
26	3	0	3	2	0	2	2	0	2	19	0	19
49	10	0	10	2	0	2	3	0	3	34	0	34
107	16	0	16	28	0	28	6	0	6	57	0	57
29	9	0	9	3	0	3	6	0	6	11	0	11
56	12	0	12	15	0	15	15	0	15	14	0	14
34	7	0	7	6	0	6	1	0	1	20	0	20
31	10	0	10	14	0	14	0	0	0	7	0	7
88	8	0	8	25	0	25	5	0	5	50	0	50
62	7	0	7	32	0	32	5	0	5	18	0	18
43	17	0	17	13	0	13	2	0	2	11	0	11
17	3	0	3	10	0	10	1	0	1	3	0	3
24	2	0	2	1	0	1	3	0	3	18	0	18
4	0	0	0	0	0	0	0	0	0	4	0	4
120	21	0	21	13	0	13	10	0	10	76	0	76
81	6	0	6	26	0	26	1	0	1	48	0	48
116	25	0	25	31	0	31	6	0	6	54	0	54
63	19	0	19	12	0	12	2	0	2	30	0	30
35	13	0	13	11	0	11	3	0	3	8	0	8
52	18	0	18	15	0	15	5	0	5	14	0	14
26	4	0	4	4	0	4	0	0	0	18	0	18
152	38	0	38	47	0	47	4	0	4	63	0	63
9	3	0	3	0	0	0	0	0	0	6	0	6
21	4	0	4	6	0	6	0	0	0	11	0	11
15	2	0	2	7	0	7	1	0	1	5	0	5
10	1	0	1	2	0	2	2	0	2	5	0	5
46	13	0	13	9	0	9	4	0	4	20	0	20
19	1	0	1	7	0	7	1	0	1	10	0	10
18	1	0	1	6	0	6	0	0	0	11	0	11
43	11	0	11	23	0	23	5	0	5	4	0	4
31	14	0	14	5	0	5	0	0	0	12	0	12
26	5	0	5	10	0	10	0	0	0	11	0	11
26	11	0	11	4	0	4	0	0	0	11	0	11
27	7	0	7	10	0	10	1	0	1	9	0	9
31	5	0	5	5	0	5	2	0	2	19	0	19
19	1	0	1	4	0	4	0	0	0	14	0	14
1804	368	0	368	526	0	526	110	0	110	800	0	800

No. X.—*(Continued.)*

Class of Judges.	Districts.	Description of cases appealed from.	Number of decisions of 1839 appealable.	Number of appeals preferred within the year.	Number of previous appeals pending on the 1st January 1839.
	Brought forward, ...	.....	6071	987	817
Principal Sudder Ameens.	Rungpore, ...	Original Suits, ...	40	14	10
		Appeals, ...	107	4	8
	Behar, ...	Original Suits, ...	79	37	52
		Appeals, ...	283	15	98
	Patna, ...	Original Suits, ...	260	94	20
		Appeals, ...	79	9	4
	Sarun, ...	Original Suits, ...	79	34	70
		Appeals, ...	143	39	17
	Shahabad, ...	Original Suits, ...	83	43	102
		Appeals, ...	361	54	53
	Tirhoot, ...	Original Suits, ...	78	35	45
		Appeals, ...	433	7	51
	Total, ...	.....	8096	1372	1347
	Total Moonsiffs, ...		56097	8898	4423
	Total Sudder Ameens, ...		2632	907	707
	Total Principal Sudder Ameens, ...		8096	1372	1347
	Grand Total, ...		66825	11177	6477

MEMORANDUM shewing the proportion in which the Regular and Special Appeals from the decisions of the Principal Sudder Ameens have been confirmed or reversed by the Judges in the year 1839.

	Regular Appeals.	Special Appeals.
Confirmed, ...	346	273
Reversed, ...	266	475
Total, ...	612	748

No. X.—*(Continued.)*

Total number of appeals to be decided.	Number confirmed.			Number modified or reversed.			Number dismissed on default, adjusted, or withdrawn.			Number pending on the 1st January 1840.		
	By the Judge.	By the Principal Sudder Ameens	Total	By the Judge.	By the Principal Sudder Ameens.	Total.	By the Judge.	By the Principal Sudder Ameens.	Total.	Before the Judge.	Before the Principal Sudder Ameens.	Total.
1804	368	0	368	526	0	526	110	0	110	800	0	800
24	6	0	6	2	0	2	1	0	1	15	0	15
12	2	0	2	7	0	7	1	0	1	2	0	2
89	9	0	9	5	0	5	2	0	2	72	0	72
113	2	0	2	11	0	11	4	0	4	96	0	96
114	54	0	54	19	0	19	5	0	5	34	0	34
13	4	0	4	6	0	6	0	0	0	3	0	3
104	29	0	29	18	0	18	3	0	3	54	0	54
56	20	0	20	33	0	33	0	0	0	3	0	3
145	60	0	60	53	0	53	7	0	7	25	0	25
107	26	0	26	36	0	36	6	0	6	39	0	39
80	13	0	13	3	0	3	3	0	3	61	0	61
58	26	0	26	22	0	22	1	0	1	9	0	9
2719	619	0	619	761	0	761	143	0	143	1213	0	1213
13321	1002	2880	3882	694	2876	3570	132	1015	1147	1471	3253	4724
1614	138	279	417	108	210	318	27	67	94	362	422	784
2719	619	0	619	761	0	761	143	0	143	1213	0	1213
17654	1759	3159	4918	1563	3086	4649	302	1082	1384	3046	3675	6721

MEMORANDUM shewing the proportion in which Appeals from the decisions of the Sudder Ameens and Moonsiffs have been confirmed or reversed by the Judges and Principal Sudder Ameens in the year 1839.

	Confirmed.	Reversed.
Appeals disposed of by the Judges, ...	1140	802
By the Principal Sudder Ameens, ...	3159	3086
Total, ...	4299	3888

No. XI.

STATEMENT of Summary and Miscellaneous Suits disposed of by the Judges

	Depending on the 1st January 1839.					
	Petitions for review of judgment under Clause 2, Section 4, Regulation XXVI. 1814, and Section 2, Regulation II. 1825.	Petitions for special appeal under Section 2, Regulation XXVI. 1814, and Section 4, Regulation II. 1825.	Petitions for summary appeals under Clause 4, Section 3, Regulation XXVI. 1814, and Act XXII. 1838.	Petitions of appeal under Clause 5, Section 3, and Clause 2, Section 5, Regulation VII. 1825.	Applications for the execution of decrees, and petitions from parties objecting to orders passed in the execution of decrees.	Total.
East Burdwan,	1	45	0	84	1	131
West Burdwan,	5	63	3	66	1	138
Hooghly,	10	48	5	67	41	171
Jessore,	7	49	6	0	48	110
Midnapore,	0	86	24	0	52	162
Nuddea,	0	0	0	5	166	171
24-Pergunnahs,	11	23	9	94	191	328
Cuttack,	3	19	0	2	85	109
Backergunge,	7	0	4	0	189	200
Dacca,	1	42	2	20	63	128
Mymensing,	4	23	3	2	124	156
Tipperah,	0	4	5	23	24	56
Chittagong,	9	12	9	31	125	186
Sylhet,	11	33	2	0	20	66
Beerbhoom,	0	14	0	11	11	36
Bhagulpore,	2	23	0	1	10	36
Dinagepore,	0	0	0	0	35	35
Moorshedabad,	0	0	0	4	30	34
Purnea,	0	3	0	0	0	3
Rajeshahye,	1	3	2	8	5	19
Rungpore,	4	7	2	0	46	59
Behar,	10	72	8	87	0	177
Patna,	19	5	2	0	0	26
Sarun,	5	76	8	10	48	147
Shahabad,	3	54	0	15	3	75
Tirhoot,	7	8	0	1	4	20
Total	120	712	94	531	1322	2779

No. XI.

during the year 1839, *and depending on the* 1st *January* 1839 *and* 1840, *respectively.*

Disposed of during the year 1839.						Depending on the 1st January, 1840.					
Petitions for review of judgment under Clause 2, Section 4, Regulation XXVI. 1814, and Section 2, Regulation II. 1825.	Petitions for special appeal under Section 2, Regulation XXVI. 1814, and Section 4, Regulation II. 1825.	Petitions for summary appeal under Clause 4, Section 3, Regulation XXVI. 1814, and Act XXII. of 1838.	Petitions of appeal under Clause 5, Section 3, and Clause 2, Section 5, Regulation VII. 1822.	Applications for the execution of decrees, and petitions from parties objecting to orders passed in the execution of decrees.	Total.	Petitions for review of judgment under Clause 2, Section 4, Regulation XXVI. 1814, and Section 2, Regulation II. 1825.	Petitions for special appeal under Section 2, Regulation XXVI. 1814, and Section 4, Regulation II. 1825.	Petitions for summary appeals under Clause 4, Section 3, Regulation XXVI. 1814, and Act XXII. of 1838.	Petitions of appeal under Clause 5, Section 3, and Clause 2, Section 5, Regulation VII. 1822.	Applications for the execution of decrees, and petitions from parties objecting to orders passed in the execution of decrees.	Total.
12	45	28	125	17	227	10	72	0	222	1	305
24	149	10	242	0	425	0	0	0	11	6	17
13	55	16	128	11	223	6	37	7	96	21	167
22	102	81	16	75	296	1	48	4	18	80	151
5	80	41	3	67	196	11	56	8	0	64	139
1	39	0	8	66	114	0	0	0	26	14	40
19	38	54	65	94	270	0	26	7	101	55	189
7	30	33	15	130	215	2	13	0	2	55	72
21	11	32	29	133	226	0	0	0	9	146	155
2	63	8	49	41	163	3	63	1	29	40	136
5	56	36	7	133	237	1	34	12	1	47	95
26	39	71	48	38	222	1	7	22	21	14	65
22	26	121	128	137	434	8	225	3	72	87	395
15	36	9	3	25	88	15	15	19	17	26	92
9	24	18	67	20	138	7	14	15	32	3	71
7	40	3	2	34	86	4	23	8	0	28	63
14	23	40	3	76	156	1	19	6	1	52	79
30	24	20	52	73	199	2	8	0	17	5	32
14	52	17	0	36	119	0	10	0	1	11	22
3	21	26	24	14	88	2	3	0	16	11	32
12	8	30	4	81	135	5	32	10	10	5	62
10	34	71	101	13	229	15	168	7	182	0	372
70	16	20	116	0	222	53	12	6	36	16	123
14	107	10	26	76	233	0	0	0	1	64	65
25	97	16	103	19	260	15	91	4	68	0	178
30	23	6	3	4	66	30	82	2	2	4	120
432	1238	817	1367	1413	5267	192	1058	141	991	855	3237

No. XII.

STATEMENT of Summary and Miscellaneous Suits disposed of by the Principal Sudder Ameens, Sudder Ameens and Moonsiffs during the year 1839, *and depending on the* 1st *January* 1839 *and* 1840 *respectively.*

	Principal Sudder Ameens.									Sudder Ameens and Moonsiffs.		
	Depending 1st January 1839.			Disposed of in 1839.			Depending 1st January 1840.			Depending 1st January 1839.	Disposed of in 1839.	Depending 1st January 1840.
	Petitions for review of judgment under Clause 2, Section 4, Regulation XXVI. 1814, and Section 2, Regulation II. 1825.	Applications for the execution of decrees, and petitions from parties objecting to orders passed in the execution of decrees.	Total.	Petitions for review of judgment under Clause 2, Section 4, Regulation XXVI. 1814, and Section 2, Regulation II. 1825.	Applications for the execution of decrees, and petitions from parties objecting to orders passed in the execution of decrees.	Total.	Petitions for review of judgment under Clause 2, Section 4, Regulation XXVI. 1814, and Section 2, Regulation II. 1825.	Applications for the execution of decrees, and petitions from parties objecting to orders passed in the execution of decrees	Total.	Execution of decrees.	Execution of decrees	Execution of decrees.
East Burdwan, ...	1	404	405	6	573	579	1	183	184	1698	3026	1456
West Burdwan, ...	0	371	371	0	462	462	0	220	220	1785	3139	1344
Hooghly, ...	0	348	348	11	528	539	0	255	255	1041	1457	629
Jessore, ...	0	183	183	1	342	343	1	199	200	961	1623	901
Midnapore, ...	0	136	136	0	99	99	0	140	140	226	664	267
Nuddeah, ...	0	256	256	1	322	323	0	293	293	1551	1903	1419
24-Pergunnahs, ...	0	239	239	0	304	304	0	232	232	899	1627	842
Cuttack, ...	0	255	255	0	265	265	0	183	183	1073	1310	892
Backergunge, ...	0	0	0	0	187	187	0	127	127	275	774	384
Dacca, ...	2	232	234	4	538	542	2	187	189	591	944	494
Mymensing, ...	0	416	416	0	645	645	0	292	292	788	1390	588
Tipperah, ...	0	155	155	0	268	268	0	167	167	586	1145	391
Chittagong, ...	0	389	389	5	578	583	0	260	260	1410	3118	1674
Sylhet, ...	0	212	212	0	222	222	0	207	207	943	1098	811
Beerbhoom, ...	0	131	131	0	289	289	0	55	55	1028	1575	761
Bhaugulpore, ...	0	142	142	3	300	303	0	88	88	487	1011	526
Dinagepore, ...	0	18	18	2	174	176	0	33	33	347	1582	277
Moorshedabad, ...	0	103	103	6	136	142	0	104	104	656	977	522
Purnea, ...	0	59	59	4	258	262	0	92	92	616	1267	637
Rajeshahye, ...	0	81	81	2	245	247	0	15	15	295	748	321
Rungpore, ...	0	54	54	0	124	124	0	94	94	297	1420	390
Behar, ...	0	751	751	4	828	832	0	617	617	658	1184	562
Patna, ...	0	332	332	9	705	714	0	493	493	97	554	266
Sarun, ...	5	654	659	6	497	503	4	516	520	425	607	465
Shahabad, ...	0	522	522	9	820	829	0	472	472	839	1433	759
Tirhoot, ...	0	498	498	0	595	595	0	412	412	974	1471	817
Total, ...	8	6941	6949	73	10304	10377	8	6036	6044	20546	37047	18395

No. XIII.

GENERAL Abstract of Summary and Miscellaneous Suits disposed of during the year 1839, *and depending on the* 1*st January* 1839 *and the* 1*st January* 1840.

	Depending on the 1st January 1839.						Disposed of during the year 1839						Depending on the 1st January 1840.					
	Petitions for review of Judgment under Clause 2, Section 4, Regulation XXVI 1814, and Section 2, Regulation II 1825.	Petitions for special appeal under Section 2, Regulation XXVI 1814, and Section 4, Regulation II. 1825.	Petitions for summary appeal under Clause 4, Section 3, Regulation XXVI. 1814, and Act XXII 1838	Petitions of appeal under Clause 5, Section 3, and Clause 2, Section 5, Regulation VII. 1825.	Applications for the execution of decrees, and petitions from parties objecting to orders passed in the execution of decrees	Total.	Petitions for review of Judgment under Clause 2, Section 4, Regulation XXVI 1814, and Section 2, Regulation II. 1825	Petitions for special appeal under Section 2, Regulation XXVI 1814, and Section 4, Regulation II 1825	Petitions for summary appeal under Clause 4, Section 3, Regulation XXVI 1814, and Act XXII. 1838.	Petitions of appeal under Clause 5, Section 3, and Clause 2, Section 5, Regulation VII. 1825	Applications for the execution of decrees, and petitions from parties objecting to orders passed in the execution of decrees.	Total.	Petitions for review of Judgment under Clause 2, Section 4, Regulation XXVI 1814, and Section 2, Regulation II 1825.	Petitions for special appeal under Section 2, Regulation XXVI. 1814, and Section 4, Regulation II. 1825.	Petitions for summary appeal under Clause 4, Section 3, Regulation XXVI 1814, and Act XXII. 1838.	Petitions of appeal under Clause 5, Section 3, and Clause 2, Section 5, Regulation VII 1825.	Applications for the execution of decrees, and petitions from parties objecting to orders passed in the execution of decrees	Total.
East Burdwan, ...	2	45	0	84	2103	2234	18	45	28	125	3616	3832	11	72	0	222	1740	2045
West Burdwan, ...	5	63	3	66	2157	2294	24	149	10	242	3601	4026	0	0	0	11	1570	1581
Hooghly, ...	10	48	5	67	1430	1560	24	55	16	128	1996	2219	6	37	7	96	905	1051
Jessore, ...	7	49	6	0	1192	1254	23	102	81	16	2040	2262	2	48	4	18	1180	1252
Midnapore, ...	0	86	24	0	414	524	5	80	41	3	830	959	11	56	8	0	471	546
Nuddea, ...	0	0	0	5	1973	1978	2	39	0	8	2291	2340	0	0	0	26	1726	1752
24-Pergunnahs, ...	11	23	9	94	1329	1466	19	38	54	65	2025	2201	0	26	7	101	1129	1263
Cuttack, ...	3	19	0	2	1413	1437	7	30	33	15	1705	1790	2	13	0	2	1130	1147
Backergunge, ...	7	0	4	0	464	475	21	11	32	29	1094	1187	0	0	0	9	657	666
Dacca, ...	3	42	2	20	886	953	6	63	8	49	1523	1649	5	63	1	29	721	819
Mymensing, ...	4	23	3	2	1328	1360	5	56	36	7	2168	2272	1	34	12	1	927	975
Tipperah, ...	0	4	5	23	765	797	26	39	71	48	1451	1635	1	7	22	21	572	623
Chittagong, ...	9	12	9	31	1924	1985	27	26	121	128	3833	4135	8	225	3	72	2021	2329
Sylhet, ...	11	33	2	0	1175	1221	15	36	9	3	1341	1404	15	15	19	17	1044	1110
Beerbhoom, ...	0	14	0	11	1170	1195	9	24	18	67	1884	2002	7	14	15	32	819	887
Bhagulpore, ...	2	23	0	1	639	665	10	40	3	2	1345	1400	4	23	8	0	642	677
Dinagepore, ...	0	0	0	0	400	400	16	23	40	3	1832	1914	1	19	6	1	362	389
Moorshedabad, ...	0	0	0	4	789	793	36	24	20	52	1186	1318	2	8	0	17	631	658
Purnea, ...	0	3	0	0	675	678	18	52	17	0	1561	1648	0	10	0	1	740	751
Rajeshahye, ...	1	3	2	8	381	395	5	21	26	24	1007	1083	2	3	0	16	347	368
Rungpore, ...	4	7	2	0	397	410	12	8	30	4	1625	1679	5	32	10	10	489	546
Behar, ...	10	72	8	87	1409	1586	14	34	71	101	2025	2245	15	168	7	182	1179	1551
Patna, ...	19	5	2	0	429	455	79	16	20	116	1263	1494	53	12	6	36	775	882
Sarun, ...	10	76	8	10	1127	1231	20	107	10	26	1180	1343	4	0	0	1	1045	1050
Shahabad, ...	3	54	0	15	1364	1436	34	97	16	103	2272	2522	15	91	4	68	1231	1409
Tirhoot, ...	7	8	0	1	1476	1492	30	23	6	3	2070	2132	30	82	2	2	1233	1349
Total, ...	128	712	94	531	28809	30274	505	1238	817	1367	48764	52691	200	1058	141	991	25286	27676

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